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OUR MISSION STATEMENT

Our mission is to serve all persons in a positive and courteous manner and help ensure that San Luis Obispo continues to be a healthy, safe, attractive, and enjoyable place to live, work, or visit. We help plan the City's form and character, support community values, preserve the environment, promote the wise use of resources, and protect public health and safety.

OUR SERVICE PHILOSOPHY

The City of San Luis Obispo Community Development Department staff provides high quality service when you need it. We will:

- ◆ Listen to understand your needs;
- ◆ Give clear, accurate and prompt answers to your questions;
- ◆ Explain how you can achieve your goals under the City's rules;
- ◆ Help resolve problems in an open, objective manner;
- ◆ Maintain high ethical standards; and
- ◆ Work to improve our service.

OPEN SPACE ELEMENT

January, 1994



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HOW TO USE THIS DOCUMENT

- Review the Executive Summary and the Table of Contents to get a general idea what this element covers.
- Review the Creek Map, the Site Map, and the Greenbelt Map. The Creek Map depicts *creeks* that should be protected, the Site Map illustrates specific sites that are considered important, and the Greenbelt Map characterizes the City's *greenbelt* vision, (those areas that ideally will remain *open space*, rural lands, agriculture, or parkland). There may be developed areas within the greenbelt. It is not the intent that existing development become *greenbelt*, but rather that the rural character and agricultural uses around these developed areas remain largely unaltered (through *clustering, transfer of development credits, easements, or acquisition*).
- Chapter II is divided into sections that address the protection of *open space* resources such as hills and mountains, *creeks, wetlands*, and plants and animals. For policies and programs that relate to a particular resource, refer to that individual resource section. The individual section will also refer you to other clearly relevant resource sections. For example, creek policies refer the reader to the scenic resource and the outdoor recreation sections.
- If you are interested in how a particular property may be effected by this Element, you should (a) locate the parcel on the maps noted above; (b) consider the resources that the maps identify or that you know exist on the parcel; and (c) then review the individual resource sections that are applicable as well as the general goals, policies, and programs at the beginning of Chapter II. If the property you are reviewing is located adjacent to the *Urban Reserve Line (URL)*, agricultural land, a mining operation, or City *open space* you should review that section as well (respectively, the Urban Edge section, the Agricultural Lands section, Mineral Resource section, or Chapter III).
- If you are interested in how the City takes care of *open space* lands that the City owns or manages then you should review Chapter III (Management of Open Space and Greenbelt Areas).
- If you are interested in how the City plans to obtain *open space* lands, then you should review Chapter IV (Implementation).
- Chapter V includes a glossary of terms. Throughout the element words have been italicized to indicate they are defined in Chapter V.

For more help, talk with a planner in the Community Development Department. A planner can be contacted by calling (805) 781-7172.

EXECUTIVE SUMMARY

San Luis Obispo is a distinctive community. This picturesque valley community, traversed by hillsides and creeks, and enveloped by mountains, agriculture, and oak woodlands is truly unique. San Luis Obispo's charm and character are what have maintained the City's local population, attracted newcomers, and generated a meaningful tourist industry. It is this character that must be protected for present and future generations while allowing for sufficient City growth.

Some communities have overlooked their attributes, eventually, usually incrementally, losing those features that defined their community. Large urban areas (such as Los Angeles) have shown that growth alone does not insure a region's vibrancy. Growth must be directed, and the region's character and quality sustained. By the same token, San Luis Obispo's future must be compatible with the preservation of its hills, agriculture, creeks, and other endowments. Without adequate preservation of these features San Luis Obispo's character will be lost.

The Open Space Element is a tool to maintain the San Luis Obispo vision, which is described below. This tool is not meant to stop growth, but rather to direct growth. The Element (1) identifies resources that should be protected and methods to preserve these resources, (2) directs urban development to urban areas (attempting to prevent a feature common to many cities, urban sprawl), and (3) defines those areas that should remain rural. These rural areas are designated as the *greenbelt* and *Outer Planning Area*. As defined in the Element, the *greenbelt* and *Outer Planning Area* should be protected as agriculture, rural lands, *open space*, and parkland.

The center of the drawing is the City's urban area, the gray region is a generalized depiction of the greenbelt, and the area outside the *greenbelt* (but within the dashed line) is the *Outer Planning Area*.

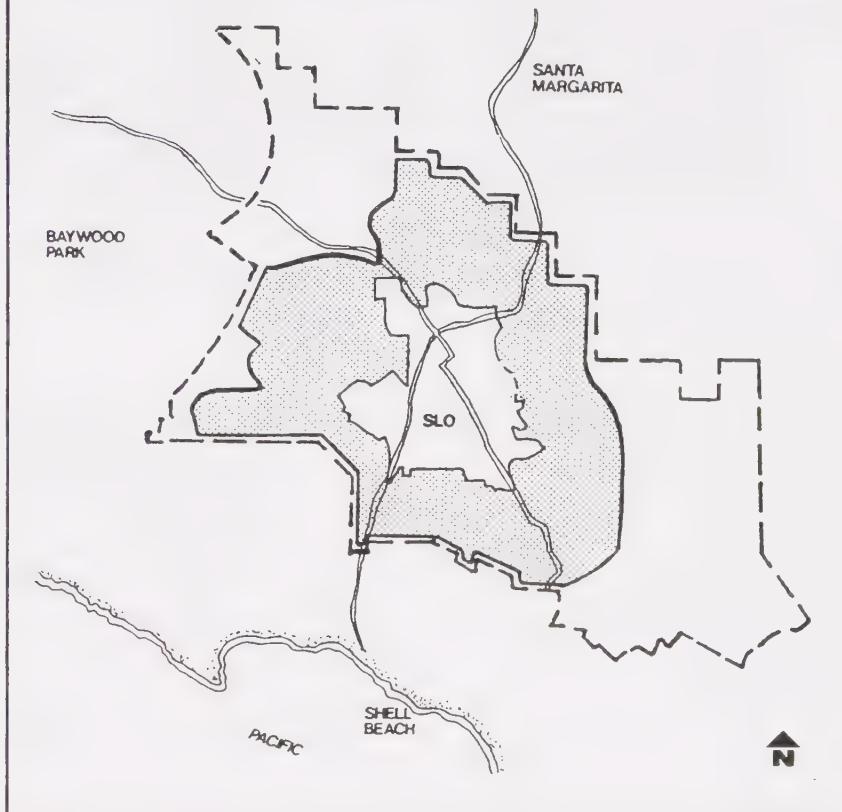


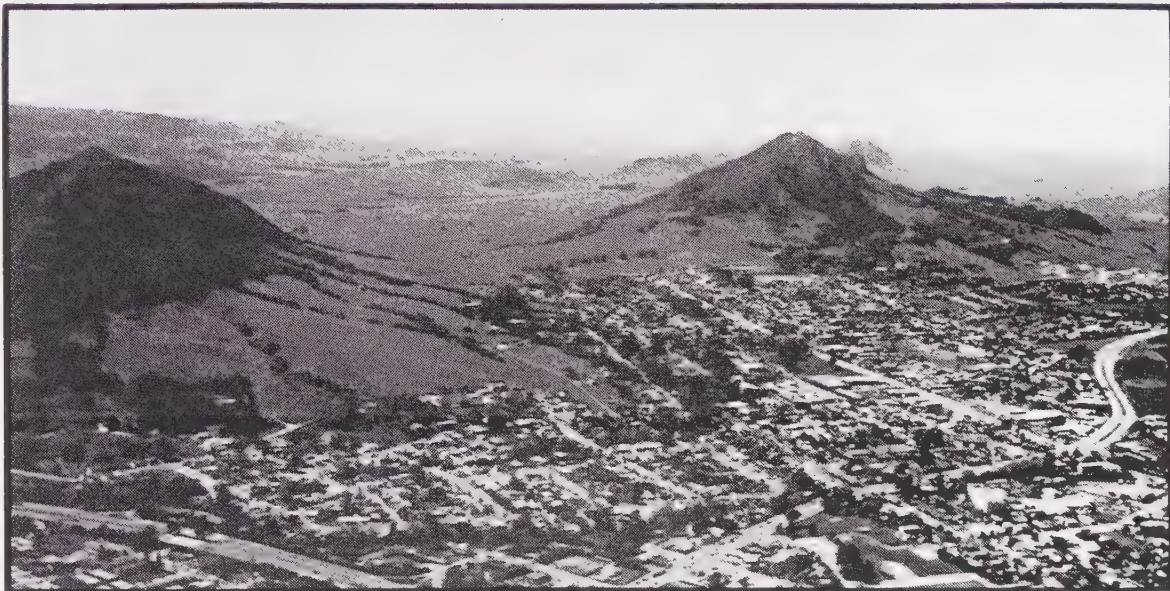
Figure 1. A generalized drawing depicting the City's urban area, the greenbelt, and the *Outer Planning Area*.

Open Space Element

The City's long-range vision for growth and *open space* preservation is summarized below:

- Within the City's Urban Reserve Line (*URL*), key resources such as hillsides, *creeks*, *wetlands*, and historic sites are preserved as *open space*.
- Urban development occurs within the *URL*. The City works with and encourages the County to direct suburban development to areas within the County's *Village Reserve* areas and already developed suburban areas (as depicted on the Greenbelt Map).
- A *greenbelt* outside the *URL* as the key mechanism for protecting resources (such as agricultural lands) and the community's rural setting (see Figure 1 for a generalized view of the *greenbelt* boundaries or the Greenbelt Map for more detail). The City works with property owners and other agencies to establish the *greenbelt* through a wide range of programs.
- The City, County, and other agencies working together to protect the *Greenbelt* and Outer Planning Area as *open space*, rural lands, parkland, or agriculture. New housing development in these areas is limited to the extent feasible to farm housing or is clustered to the extent possible in areas not visually prominent. The City and the County develop and implement standards for the Greenbelt and Outer Planning Area that are similar to the standards in the City's Land Use Element.
- Areas within the *greenbelt* and *Outer Planning Area* that have already been developed remain, but are not expanded.

CHAPTER I - INTRODUCTION



A portion of San Luis Obispo adjacent to Cerro San Luis (to the left) and Bishop Peak (to the right). This photograph was taken in 1989.

Why Preserve Open Space

State law requires that cities and counties prepare open space elements (Government Code, Article 10.5). This mandate recognizes California's increasing population, and the tremendous growth pressures many counties and cities were experiencing. According to State law, open space preservation is necessary to maintain the economy of the state, to assure the continued availability of agricultural and mineral resources, for the enjoyment of scenic beauty, and the use and conservation of natural resources and recreational opportunities. The State's directive acknowledges that California's beauty is important to state and local economies and that resources are limited. Most importantly, State law recognizes that California is a very desirable place to live, that growth will occur, and, as a result, that resource conservation must be planned for.

The reason for the State's mandate becomes clear when reviewing San Luis Obispo (SLO) County's growth. In 1980 through 1990, SLO County was experiencing rapid growth. During this period, the County's population increased 36 percent from 155,000 to 212,000. During the same period, the City's population increased by 22% from 34,252 to 41,958. At the time growth was occurring there were numerous debates about growth control and city and county land use regulations. In part, these debates were driven by the fear that valuable agricultural lands and community resources would be lost if intense growth pressures continued.

Open Space Element

In the early 1990s the pace of SLO County growth slowed for numerous reasons. This current slowdown has provided the County, City, and Cal Poly University time to plan where new development should occur and what resources should be protected. Considering that one projection estimates the County's population will increase 64 percent to 332,000 by the year 2005, this planning is very important.

The Purpose of the Open Space Element

The City's General Plan guides the use and protection of various resources to meet community purposes. The General Plan is published in separately adopted sections, called elements, which address various topics. The Open Space Element describes how the City plans to establish, acquire, protect, and maintain open space.

Open Space Briefly Defined

Open space is land or water area which remains in a predominantly natural or undeveloped state. Such lands protect and preserve the community's natural and historical resources, define the urban boundary, and provide visual and physical relief from urban development. Open spaces may consist of small portions of a parcel or large tracts of land. Such lands may include farming and grazing; creeks, marshes, watershed, and floodplains; scenic resources, plant and animal habitat; historic and archaeological resources; and passive recreation areas (see Appendix A for the City's complete definition).

Relationship to Other General Plan Elements

While the Land Use Element describes the City's desired character and size, the Open Space Element describes natural resources that should be protected within and around the City. The Park and Recreation Element's main purpose is to plan for indoor and outdoor recreational facilities (such as parks, playfields, and community centers). The Open Space Element's main goal is to protect resources (such as wildlife habitat, scenic, and agricultural land), with a secondary goal of providing recreation where it will not harm the environment or interfere with agricultural operations. All of the City's General Plan elements must be internally consistent and mutually supportive.

History

The City adopted an Open Space Element in 1973. This element is an update of the 1973 element.

Public Participation

In January, 1992, an Open Space Element Advisory Committee (OSEAC) was appointed by the City Council. The OSEAC and the community provided input into the creation of a Draft Open Space Workbook. This input was provided through a series of workshops held from February, 1992 through May, 1992. The Park and Recreation Commission reviewed the Draft Open Space Workbook at public hearings on June 11, and July 22, 1992, and the Planning Commission held preliminary

Open Space Element

discussions of the Workbook on July 13th and 30th, 1992.

The Planning Commission reviewed the draft Open Space Element at public hearings on November 18 and December 9, 1992, and January 13 and 27, 1993. A negative declaration, which evaluated the effects of this Element, was circulated in January of 1993. The negative declaration and draft Element were further reviewed by the Planning Commission on March 3rd and 31st, and May 5, 1993. The City Council reviewed the draft Element on September 7, 1993 October 20, 1993 and November 16, 1993. The Element was adopted by the Council on January 18, 1994.

State Planning Law

This Element satisfies a State planning law requirement calling for an open space element in all county and city general plans. Sections 65560, 65561, and 65562 of the California Government Code are provided in Appendix B. Appendix B provides the State definition of open space, the significance of open space preservation (as defined by State law), and the intent of the legislature in enacting open space protection.

CHAPTER II - RESOURCES AND AREAS TO BE PROTECTED

Introduction

In 1988 an opinion survey was mailed to City residents as part of the Land Use Element Update. A majority of persons responding to the survey indicated that the overall quality of San Luis Obispo (SLO) was high. Further, a majority indicated that SLO's greatest strength was its "natural beauty, including clean air and open space," and that the natural environment was very important to maintaining the area's quality of life. This Chapter discusses those resources and specific sites that are important in maintaining SLO's quality of life.

Many areas considered to be important open space to the citizens of San Luis Obispo are outside the purview of the City Council. This Open Space Element addresses these areas as the *Greenbelt* and *Outer Planning Area* and emphasizes the need to strengthen and coordinate policies and programs with the County, State, and non-profit organizations and private property interests to protect open space resources in these areas.

The first part of Chapter II provides general goals, policies, and programs. The second part, starting with the Hills and Mountain section, discusses specific resources and specific sites that should be preserved. In total, Chapter II discusses twelve resources that should be protected in some manner. For easy reference, each individual resource is indexed separately. If the reader is interested in City *creek* policies, simply refer to Section B, Creeks. Individual sections will refer the reader to other clearly applicable sections. For example, *creeks* are considered a *scenic resource*, thus the Creek section refers the reader to Section I, Scenic Resources. If an individual parcel contains many resources, each resource section that is applicable should be reviewed.

When reviewing Chapter II, the reader should review the Site Map (Figure 2), Greenbelt Map, Site Map, and Creek Map. The Site Map (Figure 2) identifies specific sites within the planning area and references where in the Element resources issues, policies, and programs for these sites are discussed. The Greenbelt Map indicates a *greenbelt* vision for the City. The City's intent is not that developed areas become *greenbelt*, but rather that the areas around development be maintained in primarily agricultural, rural, and *open space* uses. The Site Map indicates sites within the *city limits* or *Urban Reserve Line* that may have *open space*, parkland, or agricultural importance. The Creek Map indicates primarily City *creek* locations and *creek* conditions.

The policies and programs for the resource sections in Chapter II are grouped according to the where in the planning area they are intended to apply, i.e. within the *city limits*, the Urban Reserve Line, the Greenbelt, and the Outer Planning Area. The Greenbelt Map should be consulted to determine

Open Space Element

the location of the *Urban Reserve Line*, *City Limit Line*, the *greenbelt*, and the *Outer Planning Area*. For example, in the Hill and Mountain section, the first heading is "Policies Within the *Urban Reserve Line* and the *City Limit Line*". This heading indicates that the policies listed are applicable within the *URL* and the *city limits*, but not within the *greenbelt* or *Outer Planning Area*.

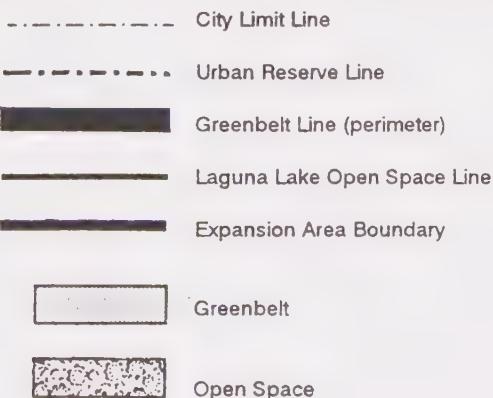
SITE MAP LEGEND

<u>SITE #</u>	<u>SITES DISCUSSED IN THE TEXT</u>	<u>PAGE IN ELEMENT</u>
1	South Street Hills	14, 37
2	Terrace Hill	14, 37
3	Foothill Property	14, 37
4	Laguna Lake Open Space	32, C-i
5	Unocal Wetlands	32
6	Rodriquez Adobe	55 - 56
7	Bowden Adobe	55 - 56
8	Dallidet Adobe	55 - 56
9	Dana Street Adobe	55 - 56
10	Sunny Acres	55 - 56
11	Southern Pacific Water Tower	56
12	Dalidio, McBride, Madonna	65
13	Orchard Site	65
14	Mission Plaza & Expansion Areas	22, 82, 90
15	Murray Street Linear Park or Open Space	83
16	Southern Pacific Site/Sinshimier Extension	83
17	Trail Corridor Southern Pacific	83
18	Nipomo Street-Higuera Street Parking Lot	83
19	Garden Street Linear Park	83
20	Reservoir Canyon	90, C-i
E.A.	Expansion Areas	83

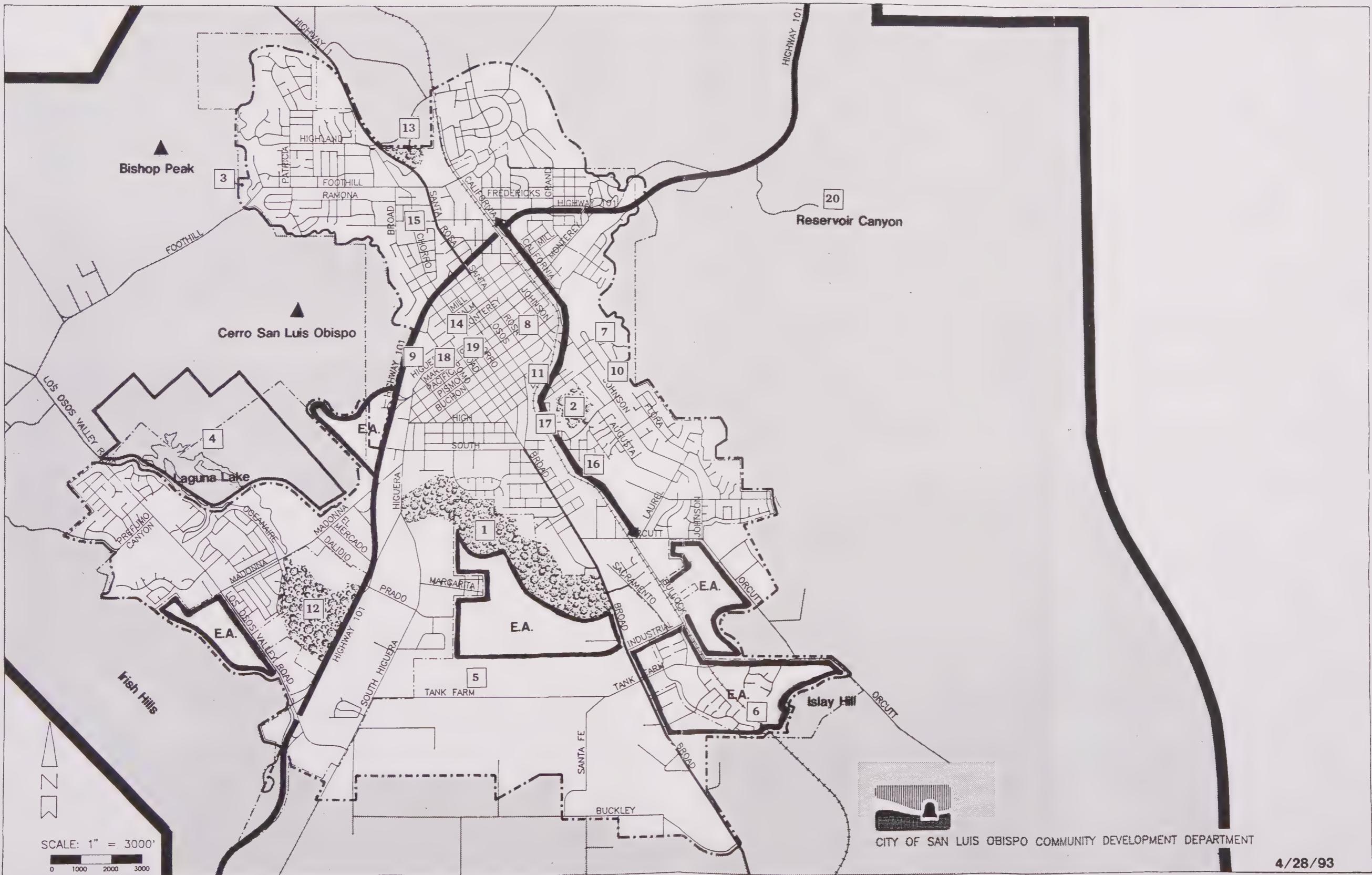
The following sites are shown on the map indicated below:

<u>SITE</u>	<u>MAP</u>
■ The Morros (Islay Hill, Mine Hill, Terrace Hill, Cerro San Luis, Bishop Peak, Chumash Peak, Cerro Romualdo, Hollister Peak, Cerro Cebrillo*, Black Hill*, & Morro Rock*)	Greenbelt Map
■ Other Hills & Mountains. Santa Lucia Foothills and Cuesta Ridge (including Reservoir Canyon, north and northeast of the City), Irish and Davenport Hills (including Prefumo Canyon south & south- west of the City).	Greenbelt Map
■ Lopez Canyon	Not shown
■ Creeks	Creek Map

* Peaks not depicted on the Greenbelt Map.



SITE MAP - FIGURE 2



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Open Space Element

It is acknowledged that the City, County, State, landowners, land conservancies, neighborhood groups, businesses and others must work together to adequately protect the resources identified in this Chapter. In addition, it should be made clear that protection does not necessarily indicate that public ownership will occur or that public access will be required. As noted in Chapter IV, there are numerous means to protect property. In addition, as noted in the Outdoor Recreation section of Chapter II, not all lands should be subject to public access.

General Open Space Goals, Policies, and Programs

Goals and policies describe desirable conditions. In this element, they are meant to express the community's preference for current and future conditions and directions. In the following statements, San Luis Obispo means the community as a whole, not just the city as a municipal corporation.

General Community Goals

1. Provide *open space*, agricultural, and rural lands that meet the needs of present and future City populations.
2. Protect resources (such as *creeks*, *sensitive habitat*, and agriculture), and be sensitive to the factors which allow these resources to remain viable.
3. Provide a *greenbelt* around the City's perimeter to: (a) define the urban limit of San Luis Obispo, (b) provide a physical separation between urban communities, (c) protect important agricultural areas from *urban uses* and maintain agriculture as an economically viable activity, (d) maintain the area's scenic beauty, and (e) protect the community's character and quality of life.
4. Provide for *passive recreation* where such low intensity uses will not damage the resources that are being protected, and preserve lands as *open space* or parkland which serve as important linkages between other *open space* lands, parks, or trails.
5. Provide continuing community education that underscores the value of the area's cultural, scenic, and natural resources.

Open Space Element

General Policies

1. Coordination and cooperation among the City, County, State, and special districts should be maintained to meet the goals and policies of this Open Space Element.
2. The City will work with and support the County, State, and special districts to protect and preserve *open space* resources through acquisition, development agreements, easements, development exactions, incentives, and other implementation methods described in this Element.
3. The City shall give high priority to those programs which strengthen and coordinate policies and programs with the County, State, non-profit organizations and private property interests.

General Programs

1. The City should:
 - A. Work with and support the County, State, and special districts to form a joint powers or other type of agreement. This agreement should be utilized to preserve *open space*, rural, and agricultural uses within the City's *greenbelt* and the *Outer Planning Area*.
 - B. Pursue inclusion in the County's Park, Recreation, and Open Space District if one is formed by the County of San Luis Obispo.
 - C. Work with land conservation groups, land conservancies, and organizations expert in natural resource management. This relationship may include the creation of a task force composed of City, State, and County agencies as well as private groups all dedicated toward achieving a comprehensive *open space* vision.
 - D. Consolidate *open space* functions in one existing city department under one person.
 - E. Regularly contact landowners and provide education materials on the value and techniques for resource protection and land conservation.

Open Space Element

- F. Work with the State and County to jointly develop and adopt a *transfer of development credit* (TDC) program. This program should target as sender sites: (1) agricultural lands within the *greenbelt* which are experiencing or will likely experience conversion pressures, (2) hill and mountain areas, and (3) other areas considered appropriate to a TDC program. Receiver sites should be designated within the City and appropriate County areas within the *greenbelt* and *Outer Planning Area*. (See Appendix D)
- G. Work with the County to develop a *clustering* program for the City's *greenbelt* and *Outer Planning Area*. This program should include a trip reduction program and should be consistent with the City's Land Use Element.
- H. Develop an open space banking program that allows developers to set aside for permanent protection (bank) *open space* or buy *open space* credits.
- I. Work with affected agencies and organizations to illustrate and document all *open space* holdings in the areas outlined in this Open Space Element.
- J. Develop funding sources for acquisition of *open space* as elaborated in Chapter IV of this Element.

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HILLS AND MOUNTAIN POLICY GUIDE

Refer to the Hills and Mountains Section for background and other policies

THE CITY SHALL PRESERVE THE DESIGNATED PORTIONS OF THE SOUTH STREET HILLS AND TERRACE HILL AS OPEN SPACE.

MAINTAIN THE CHARACTER AND VISUAL QUALITY OF HILL AND MOUNTAIN RESOURCES

ENSURE THAT DEVELOPMENT NEAR OR ON A HILL DOES NOT CAUSE OR WORSEN NATURAL HAZARDS

MINIMIZE DISTURBANCE OF HILL RESOURCES.

LOCATE STRUCTURES, ACCESSORY STRUCTURES, PAVING AND GRADING AT THE BASE OF A HILL OR MOUNTAIN (THE AREA BELOW 20% SLOPE)

unless:

1) NO PRACTICABLE ALTERNATIVE IS AVAILABLE; OR 2) LOCATION ON A GREATER SLOPE OR AT A GREATER ELEVATION PROVIDES MORE AESTHETIC QUALITY.

PRESERVE HILL AND MOUNTAIN AREAS TO BE PROTECTED THROUGH EASEMENTS AND DEDICATIONS.

DESIGNATE PROTECTED AREAS AS OPEN SPACE.

MAINTAIN AND ENHANCE NATURAL AMENITIES (CREEKS, SENSITIVE HABITAT, & UNIQUE RESOURCES).

Open Space Element

A. HILLS AND MOUNTAINS



The Santa Lucias as viewed from Andrews Street.

Purpose

The hills and mountains surrounding the City of San Luis Obispo, and the hillsides within the City, are important resources. They are a major aesthetic resource which defines the City. In addition, these areas contain mineral resources, animal and plant habitat, and historic and archeological sites. They serve as grazing lands, recreational areas, and, in many cases, as the border that defines the urban area. Protection of these lands is necessary to: 1) minimize risks to life and property from fire, landslides, and flooding; 2) insure preservation of wildlife habitat, continued biological productivity and diversity of lands, streams, and wetlands; 3) protect groundwater and surface water quality; 4) protect the continued long-term viability of agriculture; 5) preserve the community's scenic values; and 6) strengthen the human relationship with the land.

Community Goals

Preserve mountains and hills, ridgelines, scenic rock outcroppings, and other important geologic features as *open space*.

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Preserve and enhance the aesthetic quality of mountain and hill resources.

Protect hill and mountain properties from potentially hazardous or visually degrading development conditions.

Policies Within the *Urban Reserve Line* and the *City Limit Line*:

1. The City shall preserve the following existing open space areas as *open space*:
 - A. South Street Hills (see site # 1, Site Map) above the development limit line as defined by the Land Use Element and the South Street Hills Specific Plan.
 - B. Terrace Hill (see site #2, Site Map) in compliance with existing open space easements.
2. The City should:
 - A. Annex mountains or hills (such as Mine Hill, Islay Hill, Santa Lucias, the Irish Hills, the Davenport Hills, Cuesta Ridge, Cerro San Luis, or Bishop Peak) only when consistent with the Land Use Element.
 - B. Annex the northern portion of the Foothill property (see site #3, Site Map) and the creek area as *open space*. Development on this site should be clustered or located near Foothill Boulevard, with the northern portion of the site and creek area preserved as open space.
 - C. Within the *city limits* require, and outside the *city limits* encourage the County to require public or private *development* to:
 1. Locate structures, accessory structures, paving, and grading at the base of a hill or mountain (generally that area below 20 percent slope) unless: (A) no *practicable alternative* is available, (B) the location on a greater slope or at a greater elevation provides more aesthetic quality, or (C) the location is necessary to protect public health and safety (see Figure 3).
 2. Utilize design, construction, and maintenance techniques that: (A) minimize disturbance of and enhance hill or mountain resources; (B) ensure that *development* near or on portions of a hill or mountain do not cause, or make worse natural hazards (such as erosion, sedimentation, fire, or water quality concerns); (C) include erosion and sediment control practices including temporary vegetation sufficient to stabilize disturbed areas; (D) minimize risk to life and property from slope failure, landslides, and flooding; (E) maintain the character and visual quality of the adjacent

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hill or mountain resource; and (F) are consistent with the Scenic Resource Section of this Chapter.

3. Incorporate recreation and public access on or near hills and mountains consistent with this Chapter, Section J.
4. Within the *city limits* preserve, outside the *city limits* encourage the County to preserve protected hills and mountains, or areas that will be protected:
 - a. Through easements or dedications. Subdivision parcel lines or easements shall be located to optimize resource protection. Easements as a condition of discretionary *development* approvals shall be required in *hill* and *mountain* areas only for structural additions or new structures, not for accessory structures or tree removal permits. If portions of a hill or mountain are covered by an easement or an *open space* parcel, allowed uses and maintenance responsibilities within the parcel or easement should be clearly defined and conditioned prior to map or project approval. (Easements or dedications shall be required in a manner consistent with the acquisition policies contained in Chapter IV of this Element.)
 - b. By designating such easement or dedication areas (enumerated in A above) as *open space* or agriculture (assuming the land is suited for an agricultural use and such a use will not cause erosion or degradation of the hill or mountain resource).
 - c. By: (1) maintaining natural amenities (such as *creeks, sensitive habitat, unique resources*); (2) using *native plant* species that have drought tolerant and fire retardant qualities (unless the hill or mountain will be used for agriculture); and (3) avoiding tree removals on hills or mountains except when determined necessary by the City Arborist.

Policies Within the *Greenbelt* and the *Outer Planning Area*

1. Encourage the County and the State to work with the City and other public and private agencies to protect the *Morros*, the Santa Lucias (including Cuesta Ridge and Reservoir Canyon), and the Davenport and Irish Hills (including Prefumo Canyon) as *open space* and agricultural land.

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Programs Within the Greenbelt

1. The City, County, and Cal Poly should jointly adopt or adopt similar hillside development standards that fulfill the intent of this Element's policies.

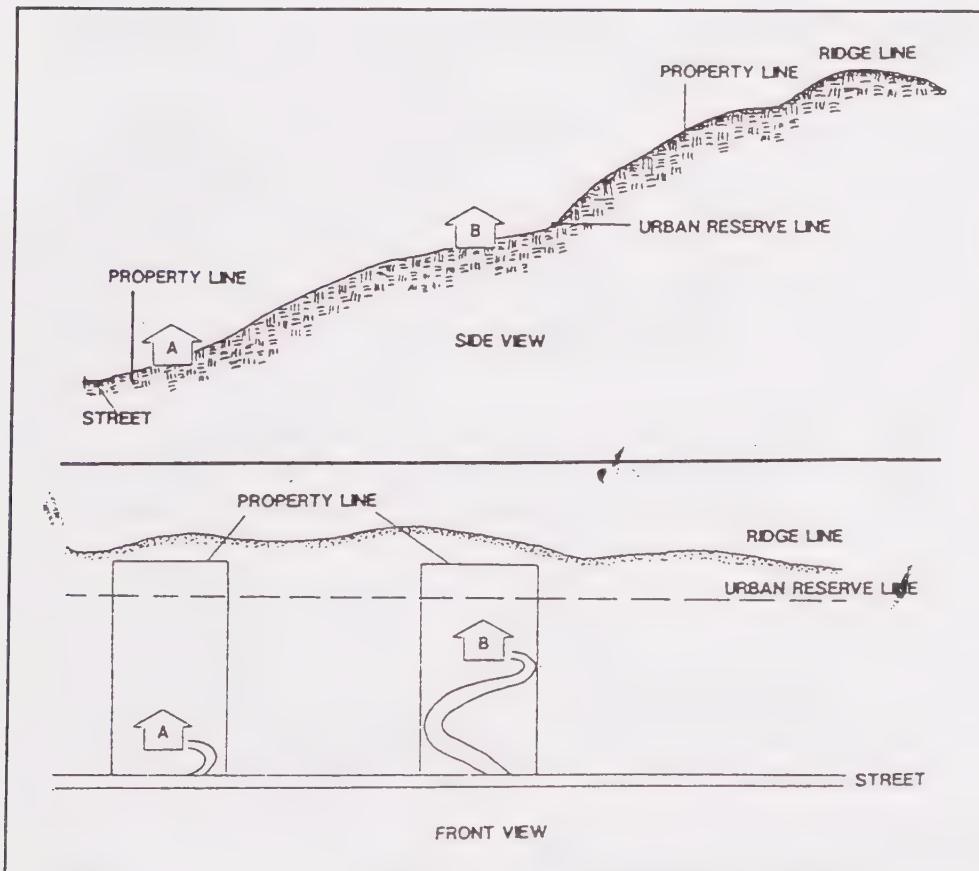


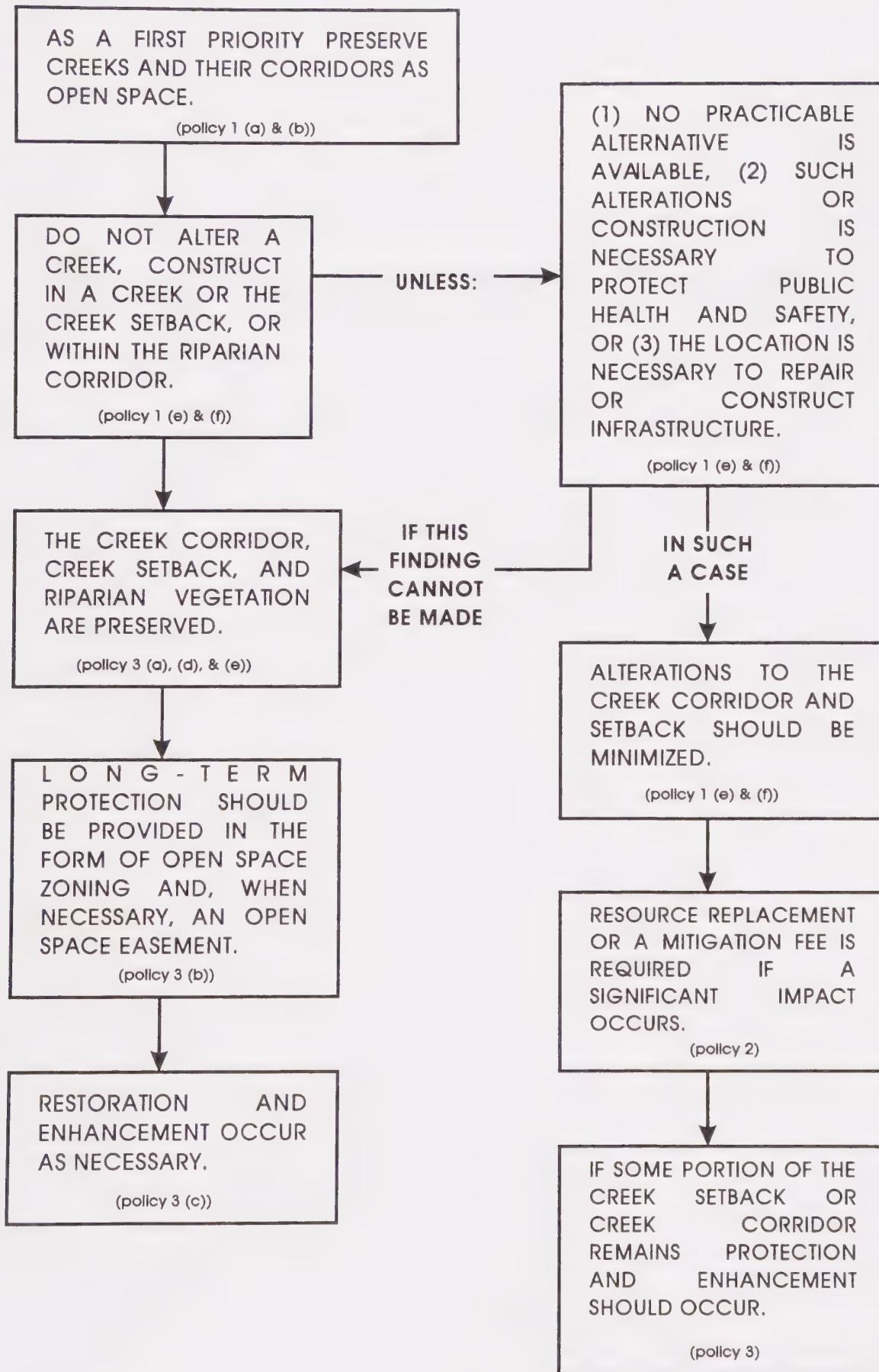
Figure 3. Hill and mountain development should be located to minimize grading and visual impacts. House A lessens impacts, whereas House B would be prominent and require extensive grading.

Figure 4, the Creek Map (about 18 inches square) is printed in color, and is available separately for \$12.50.

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CREEK PROTECTION POLICY GUIDE

(Refer to the Creek Section for background and other creek related policies)



Open Space Element

B. CREEKS



Stenner Creek above Cal Poly.

Purpose

Creeks of all sizes are an important *open space* resource, providing *riparian vegetation* and wildlife habitat areas, serving as aesthetic resources, and providing natural channels for storm flows. Since San Luis Obispo receives relatively little annual rainfall, these *creeks* are of special importance to wildlife, which depends on a reliable source of water.

Within the *city limits* there are approximately 35 miles of *creeks*. Of this area, most has been widened, realigned, concrete lined or stripped of vegetation. These *creek alterations* were typically constructed to protect development from flood waters. Only small pieces of substantially natural *creeks* remain within the City. Therefore, the focus of these *creek protection policies* is to reduce the need to further alter *creek* corridors by limiting the potential exposure of new development to flood waters and to restore and rehabilitate *creek* vegetation to enhance the habitat value of the City's *creeks*.

The City recognizes that its *creek* areas are an important natural resource for the following reasons:

1. *Creeks* recharge groundwater.

Open Space Element

2. *Creeks provide a corridor for flood waters (see Figure 5).*
3. *Creeks preserve and improve the community's quality of life by providing beauty, spawning grounds for fish, specialized plant and animal communities, corridors for wildlife, and recreational opportunities.*

Community Goals

Preserve creek corridors as a regional network of open space.

Establish healthy, continuous, riparian vegetation corridors that extend from within the City to the perimeter of the *Outer Planning Area*.

Restore degraded creeks to provide high quality habitat and to augment aesthetic resources, and to reverse the historical trend of *creek channelization and modification*.

Provide recreational uses adjacent to *creeks* only when they are sensitive to the *creek environment*.

Provide *creek maintenance* that preserves natural habitat, scenic qualities, and public safety.

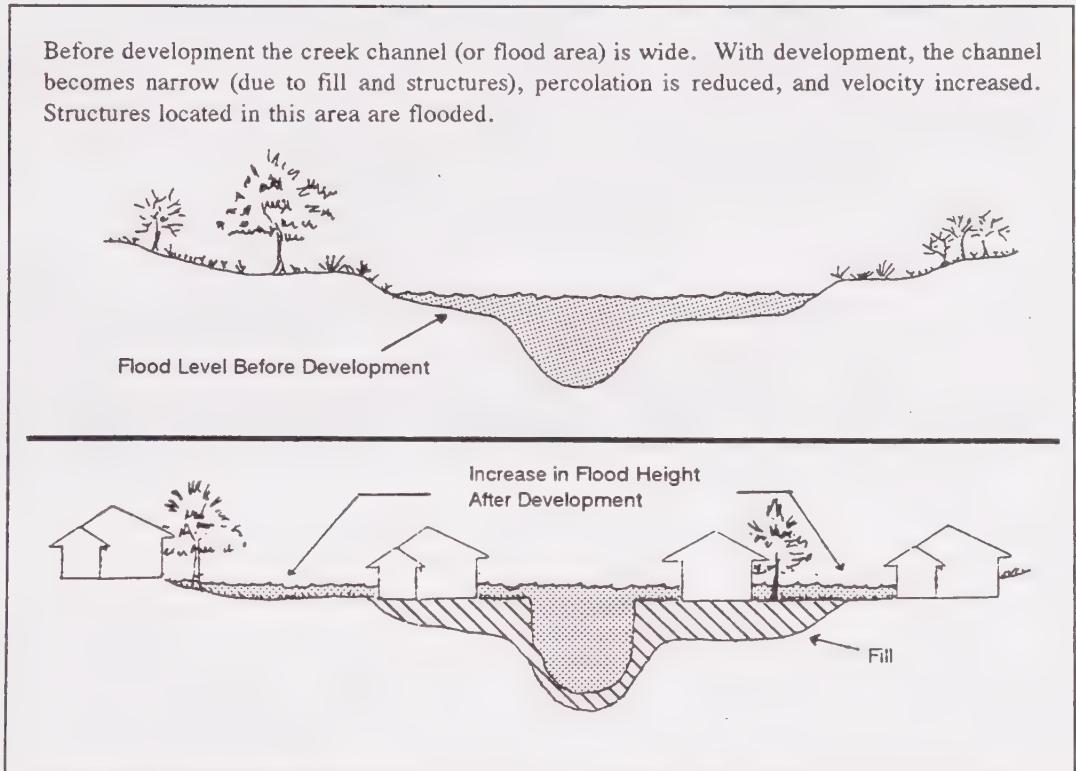


Figure 5 - Flood Corridor. The top figure shows a floodplain before development. The bottom figure shows the changes in the floodplain with development.

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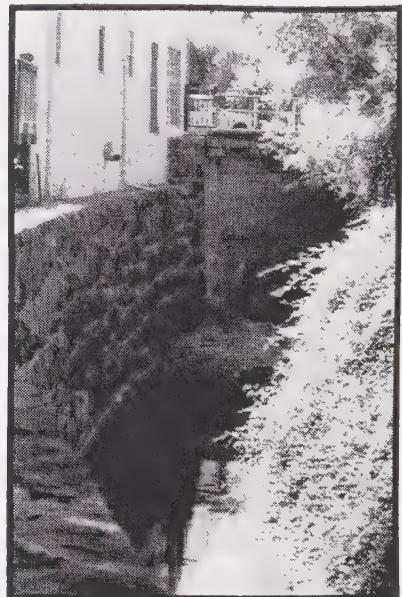
Open Space Element

Policies Within the Urban Reserve Line and the City Limit Line

1. Within the *city limits* the City shall, and outside the *city limits* the City shall encourage the County and State to:
 - A. Preserve *creeks* and their corridors as *open space*, and maintain *creek corridors* in essentially a *natural state* to protect the community's water quality, wildlife diversity, and aesthetic value.
 1. Exceptions to this are Mission Plaza and its expansion areas and Laguna Lake Park which should be preserved as parkland with some *open space* features (see the Outdoor Recreation section, Program d). Expansion of these facilities should not result in significant biological impacts and should allow for the maintenance of existing habitat value as well as human enjoyment. New recreation facilities (benches, trails, viewing stations) shall be located to preserve sensitive resources while providing some public access. If impacts occur in these areas, habitat values shall be replaced on-site or off-site (in-kind only) at a 2:1 ratio.
 - B. Protect *riparian vegetation* and restore degraded *creeks* on lands the City owns or develops (where protection and *restoration* does not interfere with flood control practices per Policy 1.F. below).
 - C. Coordinate with appropriate local, State, and Federal agencies that protect and preserve *creek* resources when designing projects or reviewing *development* which may impact a *creek*.
 - D. At select locations (consistent with this section and the Outdoor Recreation Section), provide public interpretative services on City owned or managed property that contains *creek* resources to increase public knowledge and appreciation of such resources.
 - E. Require public or private *development* to locate outside a *creek corridor* and *creek setback* area except in the following cases: (1) no *practicable alternative* is available; (2) the proposed location is necessary to protect public health and safety; (3) the location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or (4) to allow existing structures which become non-conforming by the implementation of this element to remodel or rebuild within the footprint of the existing structure; (5) the location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the Community Development Director determines the project has minimized environmental impacts through project design and infrastructure placement.

Open Space Element

- F. Allow *creek* alterations only if no *practicable alternative* is available or to protect public health and safety. If alterations are allowed the proposed project should utilize *natural creek alterations* (i.e., stabilization methods which maintain an earthen channel and provide additional *riparian vegetation*). Gabions, rocks, and other bank stabilization methods which allow plantings (both trees and shrubs) within the bank protection may be allowed only when no *practicable alternative* to *natural creek alterations* exist. If no *practicable alternative* to the utilization of gabions, rocks, and other bank stabilization methods which allow plantings (both trees and shrubs) exist, hard bank protection which does not allow for plantings (such as solid walls) may be permitted.

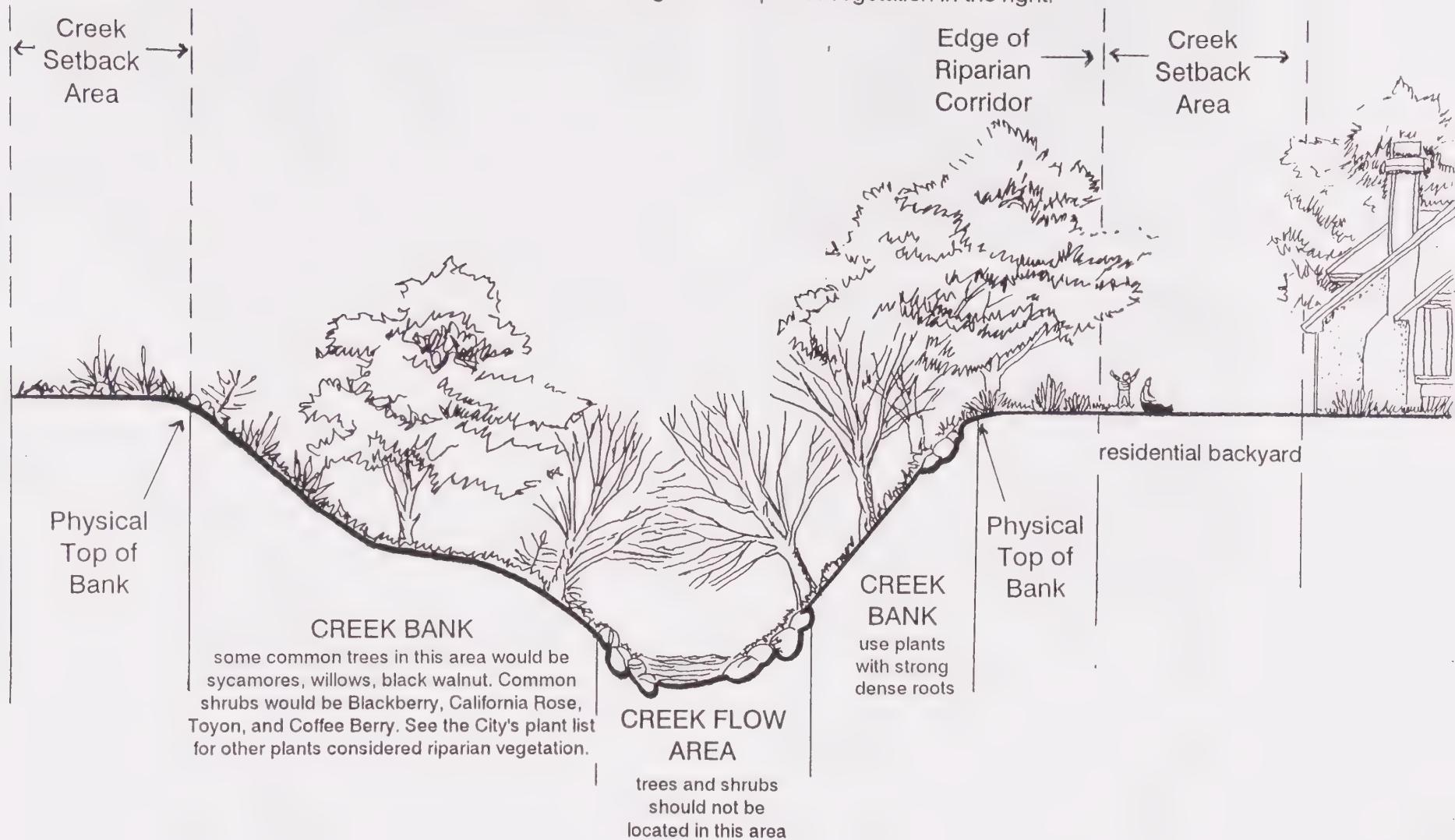


Examples of *creek alterations*. The picture to the left is a portion of Garden Creek, the picture to the right is a section along Mission Plaza. Methods such as these should be avoided if possible.

2. When no *practicable alternative* to a significant *creek* resource impact exists, the City shall require, and shall encourage the County to require, the developer to implement a City-approved *mitigation and monitoring plan* that will avoid or ameliorate significant impacts.
- The mitigation and monitoring plan should be: (a) in accordance with official California Department of Fish and Game guidelines, and (b) prepared and implemented by qualified professionals funded by the project applicant.
 - Mitigation of biological impacts shall be provided as on-site/in-kind replacement. Off-site/in-kind mitigation may be allowed where on-site/in-kind mitigation is not possible. Where neither on- or off-site in-kind mitigation is possible a mitigation fee may be allowed.

FIGURE 6 CREEK SECTIONS

In this figure the creek corridor extends from physical top of bank on the left to the edge of the riparian vegetation in the right.



Open Space Element

3. Within the *city limits* the City should require, and outside the *city limits* the City should encourage the County and State to require creek protection by public and private *development* to:

A. Preserve *creek corridors* and *creek setback* areas through easements or dedications. Subdivision parcel lines or easements shall be located to optimize resource protection. Easements as a condition of discretionary and *development* approvals shall be required in *creek corridors* and *creek setback* areas only for structural additions or new structures, not for accessory structures or tree removal permits, and in a manner consistent with acquisition policies contained in Chapter IV of this element. If a *creek* is located within an *open space* parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval. (See Figure 7). .

- B. Enhance *creek corridors* and their habitat value by: (1) providing an adequate *creek setback*, (2) maintaining *creek corridors* in an essentially

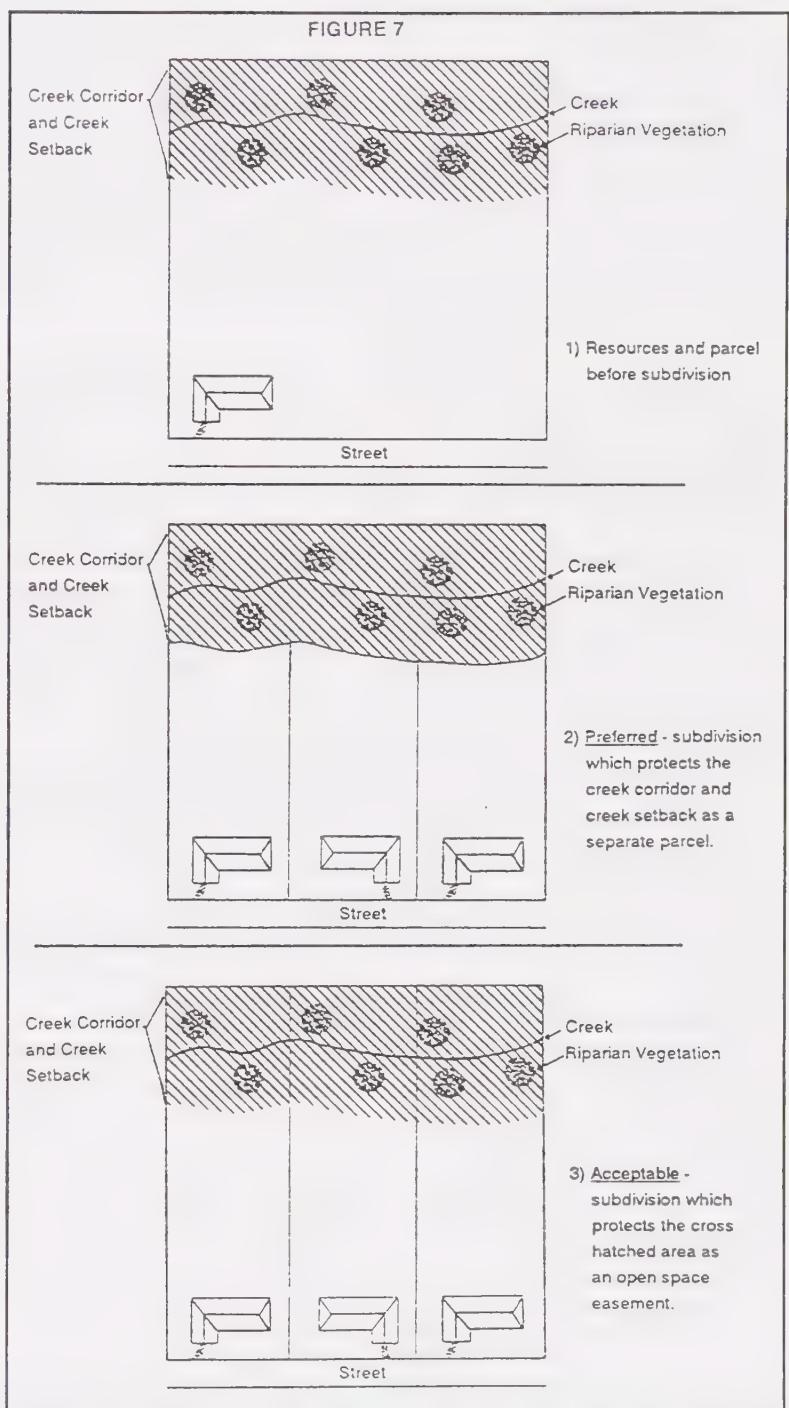


Figure 7, Resource Protection. Existing resources and preferred alternatives are noted above. In most cases, an open space parcel provides the most protection of resources.

Open Space Element

natural state, (3) employing *creek restoration* techniques where restoration is needed to achieve a *natural creek corridor*, (4) utilizing *riparian vegetation* within *creek corridors*, and where possible, within *creek setback* areas, (5) prohibiting the planting of invasive, non-native plants (such as Vinca major and Eucalyptus) within *creek corridors* or *creek setbacks*, and (6) avoiding tree removals within *creek corridors* except when determined appropriate by the City Arborist.

C. Provide recreation and public access near *creeks* consistent with this section and the Outdoor Recreation section.

D. Utilize design, construction, and maintenance techniques that:

1. Preserve and enhance *creek corridors*;

2. Ensure that *development* near a *creek* will not cause, or make worse, natural hazards such as erosion, sedimentation, flooding, or water pollution;

3. Include erosion and sediment control practices such as: (1) turbidity screens and other management practices and (2) temporary vegetation sufficient to stabilize disturbed areas. These methods shall be used as necessary to minimize siltation, sedimentation, and erosion. Such erosion and sediment controls shall be left in place until disturbed areas are stabilized with permanent vegetation that will prevent the transport of sediment off site; and

4. Are consistent with the Scenic Resource Section of this Chapter.

4. The following guidelines will direct the City's *creek maintenance* activities unless the County or City has determined other action is necessary in response to an immediate danger to public health and safety:

A. Prepare an initial environmental assessment for all proposed *creek maintenance* projects that involve (1) the use of chemicals (herbicides, pesticides, or other poisons), (2) the removal a tree (at least 3 inches in diameter at a 4 1/2 foot height), or (3) the removal of *riparian vegetation* where a major portion of a bank is exposed. A five year *creek maintenance* program may be assessed as a *creek maintenance* project.

B. Severely limit the use of herbicides, pesticides, or other poisons within *creek corridors*. When herbicides or other poisons are used they should be hand applied and only to the species identified appropriate to remove.

Open Space Element

- C. Manage *creek corridor* vegetation to minimize flooding dangers, while providing *riparian vegetation* to minimize channel erosion. New plantings within *creek corridors* should be California *native plants* (trees, shrubs and groundcover) normally found in *creek corridors*. New plantings should be provided in natural appearing or random clusters.
- D. Require major *creek maintenance* projects in highly visible areas (such as Mission Plaza) to have review and approval by the agency deemed most appropriate by the Community Development Director.

Policies Within the Greenbelt and the Outer Planning Area

- 1. Encourage the County and the State to protect *creek corridors* and *riparian vegetation* consistent with the City's policies within the *Urban Reserve Line*. County and State *creek* protection policies should recognize the needs of agriculturalists while still attempting to protect creeks and wetlands.

Programs within the City Limit Line, the Urban Reserve Line, the Greenbelt, and the Outer Planning Area

- 1. The City should:
 - A. Assess all City-owned or controlled *creeks* to determine the level of *creek restoration* necessary. Once *creek restoration* needs have been assessed, the City should obtain monies (through grants and other means) to restore targeted *creeks*. The portions of Old Garden Creek that have been paved should be studied to determine the feasibility of restoring portions of this creek.
 - B. Adopt an ordinance that establishes standardized *creek setbacks*, as well as allowed and prohibited uses within *creeks*. Prohibited uses should include both motorized and non-motorized off-road vehicles. This ordinance should establish that the *creek corridor* should not be utilized in determining site density and should address, to the extent feasible, riparian rights as they relate to creek protection. Exceptions for existing structures made nonconforming by the adoption of this ordinance shall be included in the ordinance and other City regulations regarding nonconforming structures consistent with Policy 1.e. of this Section.
 - C. Amend the Land Use Element and zoning map to designate all *creek corridors* as *open space* (excluding creeks that are paved or culverted). Designate undeveloped flood prone areas adjacent to *creeks* as *open space*, interim open space, or parkland where it would be costly for the City to provide flood control or where major *creek alterations* would

Open Space Element

be necessary to develop the site. Designate such easement or dedication areas (as enumerated in a above) as *open space*.

- D. Designate easement or dedication areas on a map, maintained by the Community Development Department, which will show all open space easements and dedications.
 - E. Promote rehabilitation and restoration of *riparian vegetation* or *creek corridors* through adoption of a creek ordinance.
 - F. Assess the cumulative impact of persons removing water from local *creeks* and *wetlands*. Where water removal is detrimental to the *creek* or *wetland*'s survival, inform the public of the long-term impact of water removal.
2. The City will work with and support the County Flood Control District - Zone 9, the California Department of Fish and Game, Army Corp of Engineers, Cal Poly, other State agencies, and resource conservation organizations (such as the Nature Conservancy, or the Land Conservancy) to jointly develop a regional *mitigation banking* program. This program should: (a) provide *mitigation banking* for *creeks*, *wetlands*, and wildlife resources (plants and animals); (b) develop guidelines for replacement of such resources; (c) develop a *mitigation fee* for replacement of such resources; (d) establish an integrated system of habitat preserve areas on the basis that preservation of plants and animals requires the establishment of habitat areas larger than can be provided on individual properties, and because many habitat areas are at risk of being lost to urban encroachment; (e) specify *buffer* and setback distances which should apply to all public and private *development* activities that may affect *creeks*, *wetlands*, *sensitive habitat*, *unique resources*, or other resources determined important; and (f) identify funding for long-term stewardship of *mitigation banking* sites.
3. The City shall work with and encourage Cal Poly and the County to:
- A. Identify alternate funding sources for replanting *creek corridor* sections that have been degraded and are in need of *creek restoration*. Examples include Soil Conservation Service, Resource Conservation District, community organizations, and grant sources available from the California Department of Fish and Game.
 - B. Develop educational brochures which discuss the care of (1) *creeks*, (2) *wetlands*, and (3) areas containing *sensitive habitat* or *unique resources*. These brochures should discuss the importance of these resources and ways of preventing resource degradation. The creek brochure should be distributed to all City and County residences which are adjacent to a *creek*.

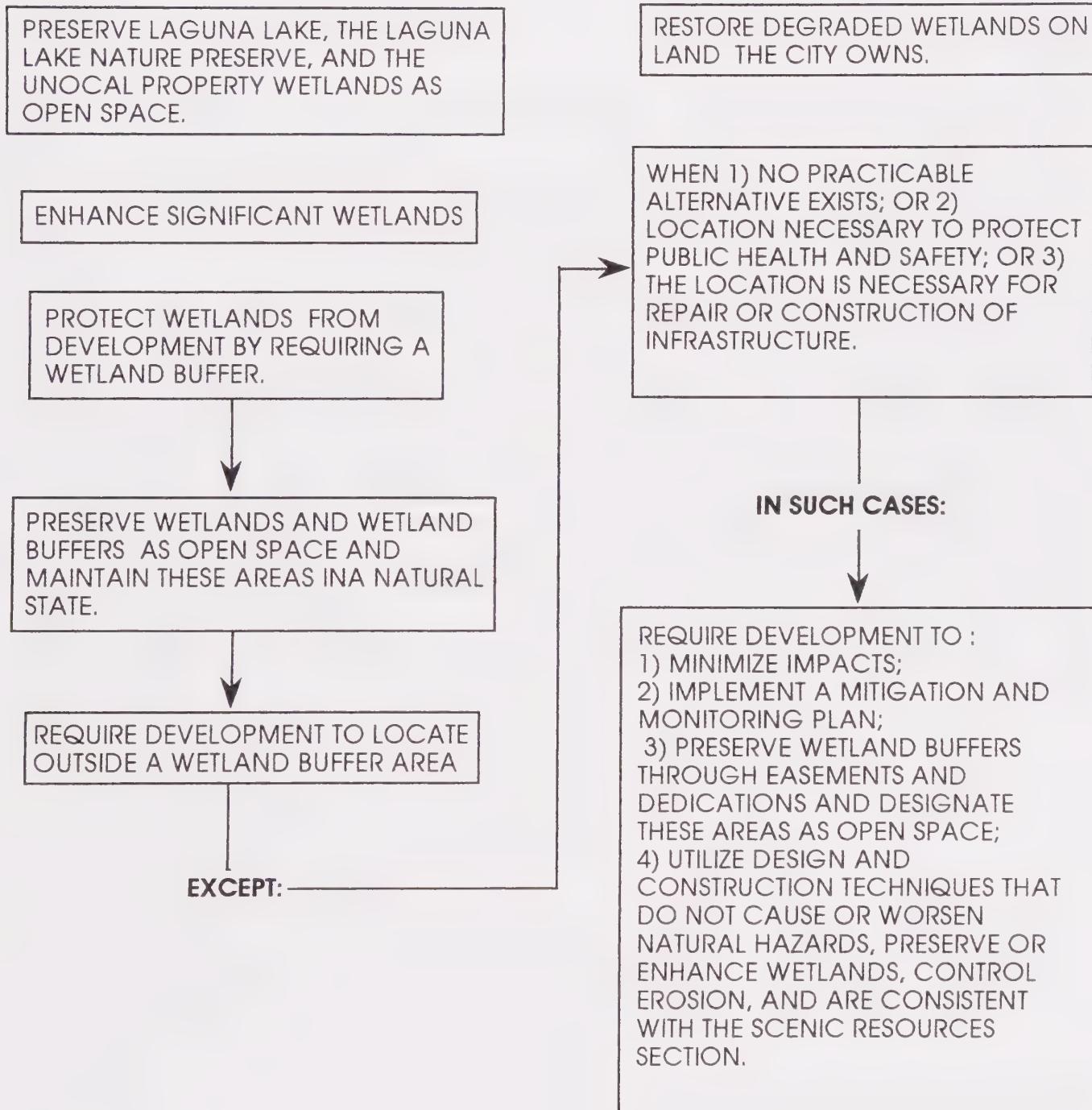
Open Space Element

4. The City shall encourage the County and Cal Poly to:

- A. Each adopt a *creek setback* ordinance and penalties for *riparian vegetation* removal. Adopted ordinances should cover lands within the *greenbelt* and *Outer Planning Area* (as applicable to that jurisdiction) and should be similar to City ordinances.
- B. Protect *creek corridors* through overlay zones or other methods.
- C. Require mining operations to provide adequate siltation and erosion control devices such that existing or proposed operations do not degrade local *creeks* or *wetlands*.
- D. Promote (through brochures or similar methods) limiting agricultural grading (including cultivation, farm roads, etc.) adjacent to or within *creeks* and *wetlands*, and livestock access within *creeks* and *wetlands*. Agricultural operations should be encouraged to protect *riparian vegetation* along *creek corridors* and restore *creek corridors* or other *wetland* areas that have been degraded due to past agricultural operations.

MARSHES, SEEPS, VERNAL POOLS, LAKES, PONDS, & SIMILAR WETLANDS OTHER THAN CREEKS POLICY GUIDE

Refer to the following Section for background and other policies



Open Space Element

C. MARSHES, SEEPS, VERNAL POOLS, LAKES, PONDS, AND SIMILAR WETLANDS (OTHER THAN CREEKS)



Laguna Lake Marsh.

Purpose

This section discusses the protection and preservation of *wetland resources* (marshes, seeps, *vernal pools*, lakes, ponds, and similar *wetlands*), and identifies these resources as important natural and *scenic resources*. This section does not discuss *creeks* (although they are a *wetland resource*). *Creeks* are discussed separately in the previous section to provide more detailed creek policies and programs.

It is estimated that over 90 percent of California's historical *wetland* acreage has been converted to other uses. Although *wetland* areas account for only five percent of the nation's lands and six percent of California's, they provide habitat for over one-third of the nation's and the state's *endangered species*. *Wetlands* constitute an extremely valuable natural resource, providing:

- A vital habitat for the breeding, spawning, nesting, and feeding of a major portion of the migratory and resident wildlife of the State and Nation, including species that are unique or *endangered*;
- A home to many unique plant communities;

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- Floodwater retention;
- Enhanced water supply, stable water yields, and quality by serving as groundwater recharge areas;
- Recreation; and
- Erosion control.

Community Goals

Preserve marshes, *vernal pools*, seeps, lakes, ponds and similar *wetland* areas as *open space*.

Restore *wetland* areas that have been degraded.

Permit uses on *wetland* sites which are consistent with the nature of the resource being protected.

Policies Within the *Urban Reserve Line* and the *City Limit Line*

1. Within the *city limits* the City shall preserve, and outside the *city limits* encourage the County to preserve, the following sites as *open space*:
 - A. The north and northwest portions of Laguna Lake and Laguna Lake Park (the area designated as "nature preserve" and as "acquisition site #1" in the Laguna Lake Park Master Plan) (See Site Map, site #4). As noted in Appendix C and the Laguna Lake Park Master Plan, this area represents valuable habitat for migratory birds as well as local wildlife.
 - B. The Unocal property wetlands (see site #5, Site Map). The City should only allow development of the Unocal property if the wetlands are protected. At the time development is proposed an adequate *wetland buffer* should be provided between the wetlands and proposed development. This site also provides habitat for migratory birds and local wildlife.
2. Within the *city limits* the City shall, and outside the *city limits* the City shall encourage the County to:
 - A. Protect *wetlands* from *development* impacts by requiring a *wetland buffer* around these areas. The *wetland buffer* should: (1) be located between the *wetland* and proposed, existing, or potential *development*; (2) be a sufficient width and size to protect the species most sensitive to *development* disturbances and to compensate for project impacts as determined by a

Open Space Element

qualified biologist during the initial planning phase of *development*; and (3) be designed to complement the habitat value of the wetland resource.

- B. Preserve *wetlands* and associated *wetlands buffers* as *open space*, and maintain these areas in a *natural state* to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities.
 - 1. An exception to this is the *wetland* in Meadow Park which should be maintained as parkland. Expansion of this facility should not result in significant biological impacts and should allow for the maintenance of existing habitat value as well as human enjoyment. New recreation facilities (benches, trails, viewing stations) shall be located to preserve sensitive resources while providing some public access. If impacts occur in these areas, habitat values shall be replaced on-site or off-site (in-kind only) at a 2:1 ratio.
 - C. Protect existing *wetlands* and restore degraded *wetlands* on lands the City owns or develops.
 - D. Coordinate with appropriate local, State, and Federal agencies that protect and preserve *wetland* resources when designing projects or reviewing *development* which may impact a *wetland*.
 - E. At select locations (consistent with this Section and the Outdoor Recreation Section), provide public interpretative services on City owned or managed property that contains *wetland* resources to increase public knowledge and appreciation of such resources.
 - F. Consider associated uplands when reviewing *development's impact on wetland* resources. Since numerous animals found in *wetland* areas are at least partially dependent upon associated uplands, upland resources should be assessed and, where appropriate, mitigation should be provided.
 - G. Require public or private *development* to locate *development* outside a *wetland* and *wetland buffer* except in the following cases: (1) no *practicable alternative* is available; (2) the proposed location is necessary to protect public health and safety; (3) the location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or (4) the location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the Community Development Director determines the project has minimized environmental impacts through project design and infrastructure placement.
3. When no *practicable alternative* to a significant impact to *wetland* resources exist, the City should require within the *city limits* and outside the *city limits* encourage the County to require the

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developer to implement a City approved *mitigation and monitoring plan* that will avoid or ameliorate significant impacts.

- A. The mitigation and monitoring plan should be in accordance with official California Department of Fish and Game guidelines, and prepared and implemented by qualified professionals under funding by the applicant.
 - B. Mitigation of biological impacts shall be provided as on-site/in-kind replacement. Off-site/in-kind mitigation may be allowed where on-site/in-kind mitigation is not possible. Where neither on- or off-site in-kind mitigation is possible a mitigation fee may be allowed.
4. Where *wetland* protection is required or proposed - the City should require, and should encourage the County and other agencies to require public and private *development* to:
- A. Preserve *wetlands* and *wetland buffers* through easements or dedications. Subdivision parcel lines or easements shall be located to optimize resource protection. Easements as a condition of discretionary *development* approvals shall be required in *wetlands* and *wetland buffers* only for structural additions or new structures, not for accessory structures or tree removal permits, and in a manner consistent with acquisition policies contained in Chapter IV of this element. If a *wetland* is proposed within an *open space* parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval. Preserve *creek corridors* and *creek setback* areas through easements or dedications. If a *creek* is located within an *open space* parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval. (See Figure 7).
 - B. Designate such easements or dedications (as enumerated in Policy 4.A. above) as *open space*.
 - C. Enhance wetlands and their habitat value by: (1) providing an adequate *wetland buffer* around wetland resources, (2) maintaining *wetlands* in a *natural state*, (3) employing *restoration* techniques where *restoration* is needed to achieve a *natural state*, (4) utilizing *wetland* vegetation within *wetlands* and *wetland buffers*, (5) prohibiting the planting of invasive, non-native plants (such as Vinca major and Eucalyptus species) within *wetlands* or *wetland buffers*, and (6) avoiding tree removals within *wetlands* and *wetland buffers* except when determined necessary by the City Arborist.
 - D. Incorporate recreation and public access consistent with this Chapter, the Outdoor Recreation section.

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- E. Utilize design, construction, and maintenance techniques that:
 1. Preserve and enhance *wetlands*;
 2. Ensure that *development* near a *wetland* will not cause, or make worse, natural hazards (such as erosion, sedimentation, flooding, or water quality concerns);
 3. Include erosion and sediment control practices such as: (A) turbidity screens and any other management practices. These methods shall be used as necessary to minimize siltation, sedimentation, and erosion. Such erosion and sediment controls shall be left in place until disturbed areas are stabilized with permanent vegetation that will prevent the transport of sediment off site, and (B) temporary vegetation sufficient to stabilize disturbed areas; and
 4. Are consistent with the Scenic Resource Section of this Chapter.

Policies Within the *Greenbelt* and the *Outer Planning Area*

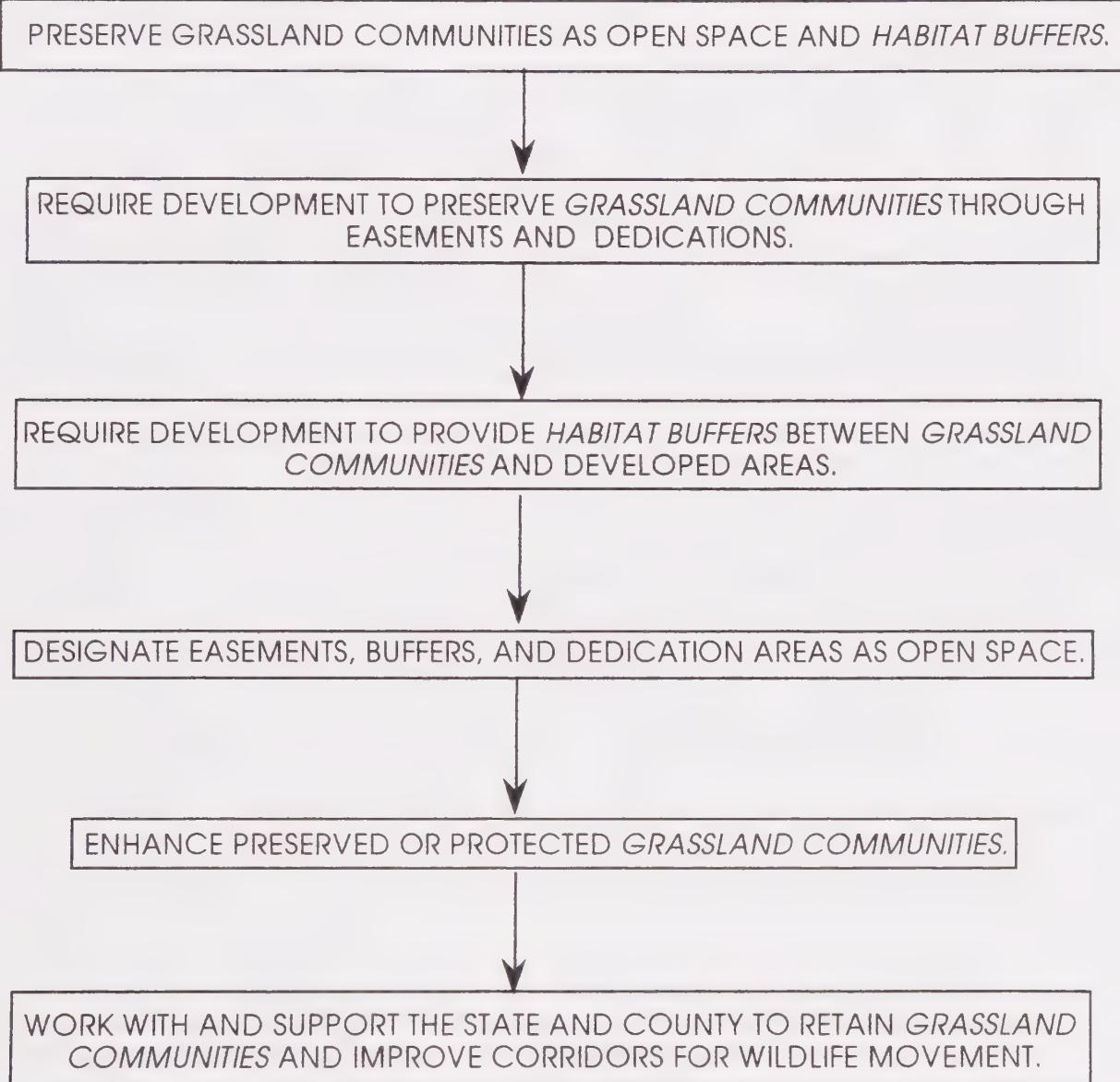
1. Encourage the County and the State to protect *wetland* resources consistent with the City's policies within the *Urban Reserve Line*.

Wetland Programs

See Creek Programs (pages 27 - 29).

GRASSLAND COMMUNITIES POLICY GUIDE

Refer to the following Section for background and other policies.



D. GRASSLAND COMMUNITIES



Grassland community at the base of Bishop Peak

Purpose

Grassland communities are considered in this section due to their biological, economic and aesthetic importance. These grasslands provide: (1) habitat, cover and forage for a broad range of organisms that are endemic (restricted) to: the San Luis Obispo area; (2) economic contributions in the form of food and fiber production; and (3) auditory and visual buffers between various parts of the community.

Grassland communities within the *city limits* have been highly fragmented and usually contain highly invasive weedy species (*Avena barbata*, *A. fatua*, *Bromus diandrus*, *B. madritensis*) of reduced wildlife habitat value. These areas do, however, provide forage, cover and potential linkage with less disturbed outlying areas.

Certain *grassland communities* within the *city limits* exhibit biological significance, including the South Street Hills, Terrace Hill, base of Cerro San Luis and Bishop Peak, the base of the Santa Lucia Range, and areas surrounding Laguna Lake Park. These areas exhibit steeper slopes or are presently being grazed. They contain rare/endangered plants and provide forage for raptors such as *Falco peregrinus* (Peregrine falcon), *Falco mexicanus* (Prairie falcon) and *Falco columbarius* (Merlin).

Open Space Element

Grassland communities within the Greenbelt exhibit biological significance. A number of these areas (Santa Lucia Range, the Morros, the Irish and Davenport Hills and the valleys between these hills and mountains including the Edna, Los Osos, El Chorro, and Cuesta Valleys) possess grasslands that have been historically grazed, and provide contiguous biological corridors allowing for animal movement in and around the *city limits*. In addition, these open areas support a fairly healthy "ecosystem" (as evidenced by the number of carnivores and raptors) that has adapted to the presence of both people and cattle.

Rare/endangered plant species associated with Greenbelt *grassland communities* include *Calochortus obispoensis* (San Luis Mariposa lily), *Chorizanthe breweri* (Brewer's spineflower) and *Layia jonesii* (Jones' layia), *Bloomeria humilis* (Dwarf goldenstar), *Arctostaphylos obispoensis* (Morro Bay manzanita), *Arctostaphylos luciana*, *Arctostaphylos pechoensis*, *Arctostaphylos osoensis*, *Carex obispoensis* (San Luis sedge), *Calochortus clavatus* var. *clavatus*, *Calystegia subcavlis* ssp. *episcopalis*, *Clarkia speciosa* ssp. *immaculata*, *Comatium parvifolium*, *Lupinus ludovicianus* (San Luis lupine), *Monardella palmeri*, *Sanicula hoffmannii*, *Scrophularia atrata*, and *Sidalcea hickmanii* ssp. *anomala*. In addition to the rare/endangered, there are *unique resources* in these areas that include *Nassella [Stipa] pulchra*, *Nassella [Stipa] lepida*, *Nassella [Stipa] cernua*, *Melica imperfecta*, and *Melica californica* (native perennial bunchgrasses). These bunchgrasses are a good indication of low disturbance and high botanical worth. Sites that have a *unique resource* should be considered for further investigation before any changes in landuse designation can take place.

Rare/endangered animals associated with these *grassland communities* include *Aquila chrysaetos* (Golden eagle) and *Falco peregrinus* (Peregrine falcon). Animals of "special concern" include *Falco mexicanus* (Prairie falcon), *Falco columbarius* (Merlin), *Accipiter cooperii* (Cooper's hawk), *Circus cyaneus* (Harrier Hawk), *Buteo regalis* (Ferruginous hawk), *Buteo lagopus* (Rough-legged hawk), *Speotyto cunicularia* (Burrowing owl), and *Taxidea taxus* (Badger). The presence of these top order consumers is a good indication of a biologically healthy system. The potential fragmentation of large grasslands by land use changes most directly affects the larger consumers, as these animals need a large area to range over. Most of the larger sections of grassland are currently used as grazing or are fallow in between crop production. Both of these uses are preferable to subdivision and urbanization.

Community Goals

1. Protect *grassland communities* within the *city limits*.
2. Retain grasslands found within the greenbelt area at their current level of use. They are valuable economically (providing food/fiber), aesthetically (providing a scenic boundary to the City), and

Open Space Element

biologically by providing habitat, distribution corridors and forage for the plants and animals associated with the quality of life found in the San Luis Obispo area.

Policies Within the *Urban Reserve Line and City Limit Line*

1. Within the *city limits* the City should, and outside the *city limits* the City will encourage the County to:
 - A. Coordinate with appropriate local, State and Federal agencies that protect and preserve *unique resources* and *sensitive habitat* during the design or review stages of any development that may impact such habitat. (See Section E, Plants & Animals)
 - B. At select locations, provide public interpretive services on City owned or managed property to increase public knowledge and appreciation of *grassland communities*.
 - C. Encourage donation or exchange of lands (or portions of lands) containing native *grassland species*, *unique resources* or *sensitive habitat* (as identified in Section E, Plants and Animals) to non-profit environmental organizations or responsible agencies.
2. In areas that contain existing grasslands, the City should, and should encourage the County to:
 - A. Preserve *grassland communities* as *habitat buffers* and *open space*.
 - B. Protect *grassland communities* by requiring public and/or private development to:
 1. Preserve *grassland communities* through easements or dedications. Subdivision parcel lines or easements shall be located to optimize grassland protection. Easements as a condition of discretionary *development* approvals shall be required in grassland areas only for structural additions or new structures, not for accessory structures or tree removal permits, and in a manner consistent with acquisition policies contained in Chapter IV of this element. If the *grassland community* is within a proposed *open space* parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval.
 2. Designate such easements or dedications as *open space*.
 3. Enhance preserved or protected *grassland communities* by: (1) maintaining these areas in a natural state; (2) employing restoration and/or revegetation techniques where needed to achieve a natural state; (3) utilizing site or region specific native grasses, herbs and shrubs;

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(4) prohibiting the planting of invasive, non-native plants (such as *Vinca* spp. and *Eucalyptus* spp.) within *grassland communities*.

- C. Protect *grassland communities* from *development* impacts by requiring a *habitat buffer* around these areas. The *habitat buffer* should: (1) be located between the grassland community and proposed, existing, or potential *development*; (2) be a sufficient width and size to protect the species most sensitive to *development* disturbances and to compensate for project impacts as determined by a qualified biologist during the initial planning phase of *development*; and (3) be designed to complement the habitat value associated with the grassland community.

Policies Within the Greenbelt and Outer Planning Area

1. Encourage and coordinate with State and County agencies and landowners to identify and protect plants and animals associated with *grassland communities* while respecting and protecting private property rights and County land use practices.
2. Work with and support the County, State, and other applicable agencies to retain *grassland communities* found within the greenbelt area at their current level of use (consistent with other land uses as discussed in this Element).

Programs Within the *Urban Reserve Line*, the *City Limit Line*

1. Prepare and maintain a map delineating the location of *grassland communities* within the *Urban Reserve Line* and the city limit line.

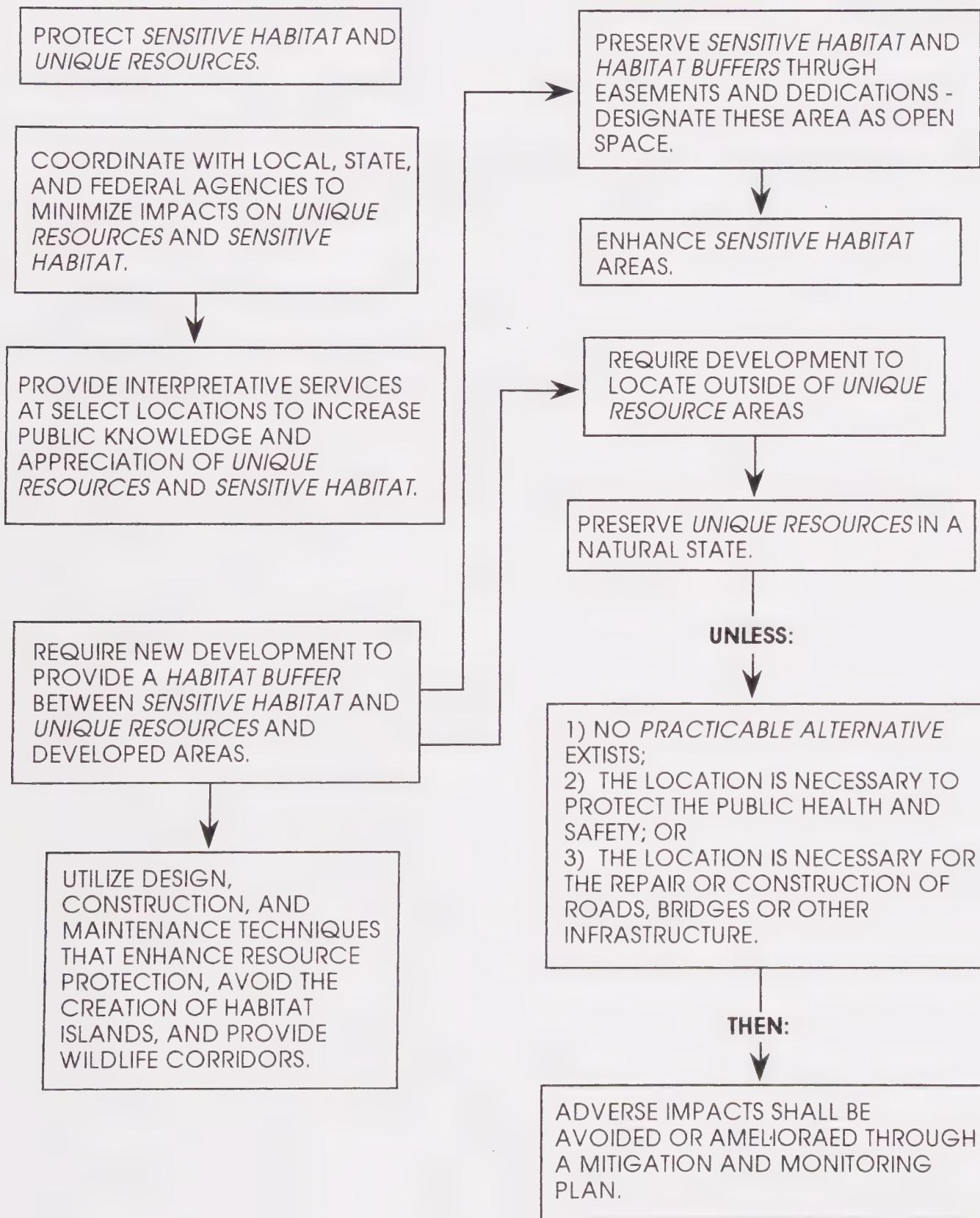
Programs Within the *Greenbelt and Outer Planning Area*

1. Work with and support the County, State, and other applicable agencies in planning for wildlife corridors under highways, major roads, and other similar impediments to wildlife movement.

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PLANTS AND ANIMALS POLICY GUIDE

Refer to the following Section for background and other policies.

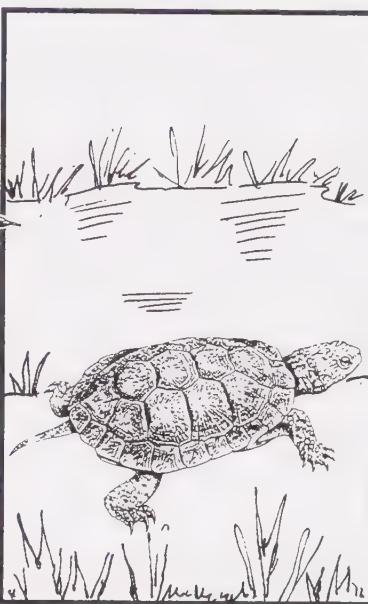


Open Space Element

E. PLANTS AND ANIMALS



SLO Mariposa Lily
(List 1B*)



Western Pond Turtle
(Listed as CSC*)



Great Blue Heron
(Local Wildlife)

Purpose

The topics of vegetation and wildlife are grouped in this section because of their close ecological relationship. Plants and animals depend upon each other for their existence, and each must contend with human actions which alter the balance of nature.

Protection of plants and animals is necessary to maintain biological diversity, protect significant natural features, and to ensure that future generations will have access to a quality environment. Preservation of such resources not only provides aesthetic benefits, but also direct human value. Benefits include opportunities for education and scientific research, a chance to witness wildlife in a natural setting, and more direct human benefits such as the development of valuable medicines (some of which have been derived from *rare* plants) and improved agricultural productivity (resulting from successful cross-breeding of wild and domestic plants).

* See Table I and II.

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Community Goals

Protect plant and animal resources for their functional and ecological value, to maintain wildlife diversity and community beauty.

Provide wildlife corridors to allow wildlife migration, increase species diversity, and provide wildlife viewing opportunities.

Policies Within the Urban Reserve Line and the City Limit Line

[See Table I and II to determine what resources would qualify as *unique resources* versus *sensitive habitat*.]

1. Within the *city limits* the City should, and outside the *city limits* the City will encourage the State and County to:
 - A. Protect *sensitive habitat* and *unique resources*.
 - B. To the extent feasible, protect native wildlife and local habitat (such as grasslands), because *sensitive habitat*, *unique resources*, and native wildlife are dependent on such habitat.
 - C. Protect *sensitive habitat* and *unique resources* from *development* impacts by requiring a *habitat buffer* around these areas. The *habitat buffer* should: (1) be located between *sensitive habitat* or *unique resources* and proposed, existing, or potential *development*; (2) be a sufficient width and size to protect the species most sensitive to *development* disturbances and to compensate for project impacts as determined by a qualified biologist during the initial planning phase of *development*; and (3) be designed to complement the habitat value associated with the *sensitive habitat* or *unique resources* and to protect such resources.
 - D. Coordinate with appropriate local, State, and Federal agencies that protect and preserve *unique resources* and *sensitive habitat* when designing projects or reviewing *development* which may impact such resources.
 - E. At select locations (Consistent with this Chapter, the Outdoor Recreation Section), provide public interpretative services on City owned or managed property to increase public knowledge and appreciation of *unique resources* and *sensitive habitat*.
 - F. Encourage donation or exchange of lands (or portions of lands) containing *unique resources* or *sensitive habitat* to non-profit environmental organizations or responsible agencies.

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2. Within the *city limits* the City should, and outside the *city limits* the City should encourage the County to, do the following in areas that contain *sensitive habitat* (see Table 2),:
 - A. Preserve *sensitive habitat* areas and associated *habitat buffers* as *open space*.
 - B. Protect *sensitive habitat* by requiring public or private *development* to:
 1. Preserve such resource areas and associated *habitat buffers* through easements or dedications. Subdivision parcel lines or easements shall be located to optimize resource protection. Easements as a condition of *development* approval shall be required only for structural additions or new structures, not for accessory structures or tree removal permits. If the resource area is within a proposed *open space* parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval.
 2. Designate easements or dedications (as enumerated in 1 above) as *open space*.
 3. Enhance such resource areas by: (A) providing an adequate *habitat buffer* around the resource area, (B) maintaining protected areas in a *natural state*, (C) employing *restoration* techniques where restoration is needed to achieve a *natural state*, (D) utilizing *native plants* within resource areas, and where possible, within *habitat buffers*, and (E) prohibiting the planting of invasive, non-native plants (such as vinca major and eucalyptus) within resource areas or associated *habitat buffers*.
 4. Incorporate recreation and public access near resource areas consistent with this Chapter, the Outdoor Recreation section.
 5. Incorporate design, construction, and maintenance techniques that: (A) preserve and enhance resource protection; (B) avoid the creation of habitat islands (habitat surrounded by developed areas); (C) provide necessary wildlife corridors (including corridors under proposed major roads, highways, or other impediments which restrict animal movement); and (D) are consistent with the Scenic Resource Section of this Chapter.

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Table I

Plants & Animals As Classified by the Federal Government, State Government and the California Native Plant Society

Status Federal - U.S. Fish and Wildlife Service (USFWS)

- (FE) Endangered: In danger of extinction throughout all or a significant portion of its range.
- (FT) Threatened: Likely to become endangered without protection and management.
- (PFE) (PFT) Proposed Endangered or Threatened: Presently being considered for endangered status.
- (FC1) Candidate, category 1: USFWS has sufficient data to support listing as endangered.
- (FC2) Candidate, category 2: USFWS needs further data on threats.
- (F3a) Non-candidate: Presumed extinct.
- (F3b) Non-candidate; taxonomically invalid.
- (F3c) Non-candidate; too widespread or not threatened.

Status State - California Department of Fish and Game (F&G)

- (SE) Endangered: Prospects for survival are in immediate jeopardy.
- (ST) Threatened: Likely to become SE without protection and management.
- (SR) Rare: May become SE if present environment worsens (only refers to plants).
- (CSC) Species of Special Concern: Are not rare on a state scale, but are found in limited locations.

Status California Native Plant Society (CNPS) - Refers to Plants Only

- (List 1A) Plants of Highest Priority: Presumed extinct in California.
- (List 1B) Plants of Highest Priority: Plants rare and endangered in California and elsewhere.
- (List 2) Plants rare and endangered in California, common elsewhere.
- (List 3) Plants about which more information is needed.
- (List 4) Plants of limited distribution (a watch list).

Sources: Melissa Mooney, San Luis Obispo County, Environmental Coordinator's Office, California Department of Fish & Game Natural Diversity Data Base.

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Table II

Plants and Animals
As Classified by the City of San Luis Obispo

Sensitive Habitat -

Are plants or animals which meet the criteria noted in 1, 2, 3, 4, or 5 below:

1. Classified by U.S. Fish and Wildlife Service (USFWS) as:
 - a. (FE) Endangered: In danger of extinction throughout all or a significant portion of its range.
 - b. (FT) Threatened: Likely to become endangered without protection and management.
 - c. (PFE) (PFT) Proposed Endangered or Threatened: Presently being considered for endangered status.
 - d. (FC1) Candidate, category 1: USFWS has sufficient data to support listing as endangered.
2. Classified by California Department of Fish and Game (F&G) as:
 - a. (SE) Endangered: Prospects for survival are in immediate jeopardy.
 - b. (ST) Threatened: Likely to become SE without protection and management.
3. Classified by California Native Plant Society (CNPS) - (Plants Only) as:
 - a. (List 1A) Plants of Highest Priority: Presumed extinct in California.
 - b. (List 1B) Plants of Highest Priority: Plants rare and endangered in California and elsewhere.
 - c. (List 2) Plants rare and endangered in California, common elsewhere.
4. A species not listed by USFWS, F&G, or CNPS but can be shown to meet the criteria in CEQA Section 15380.
5. Habitat area required to support the species listed in 1, 2, 3, or 4 above.

Unique Resources -

Are plants or animals which meet the criteria noted in 1, 2, 3, or 4 below:

1. U.S. Fish and Wildlife Service (USFWS)
 - a. (FC2) Candidate, category 2: USFWS needs further data on threats.
2. California Department of Fish and Game (F&G)
 - a. (SR) Rare: May become endangered if present environment worsens (only refers to plants).
 - b. (CSC) Species of Special Concern: Are not rare on a state scale, but are found in limited locations.
3. California Native Plant Society (CNPS) - (Plants Only)
 - a. (List 3) Plants about which more information is needed.
 - b. (List 4) Plants of limited distribution (a watch list).
4. Habitat area required to support the species listed in 1, 2, or 3 cited above.

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3. Within the *city limits* the City should, and outside the *city limits* the City should encourage the County to, do the following in areas that contain *unique resources* (see Table II):
 - A. Preserve *unique resources* and maintain these resources in a *natural state*.
 - B. Require public or private *development* to locate *development* outside a *unique resource* and *habitat buffer* except in the following cases: (1) no *practicable alternative* is available; (2) the proposed location is necessary to protect public health and safety; (3) the location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or (4) the location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the Community Development Director determines the project has minimized environmental impacts through project design and infrastructure location.
 - C. When no *practicable alternative* to a significant impact to unique resources exists, the developer should implement a City approved *mitigation and monitoring plan* that will avoid or ameliorate significant impacts.
 1. The mitigation and monitoring plan should be in accordance with official California Department of Fish and Game guidelines, and prepared and implemented by qualified professionals under funding by the applicant.
 2. Mitigation of biological impacts shall be provided as on-site/in-kind replacement. Off-site/in-kind mitigation may be allowed where on-site/in-kind mitigation is not possible. Where neither on- or off-site in-kind mitigation is possible a mitigation fee may be allowed.
4. Where *unique resources* are required or proposed to be protected - within the *city limits* the City should require, and outside the *city limits* encourage the County to require public and private development (as is reasonable considering *unique resources* may be sporadically located) to provide protection consistent with the *sensitive habitat* policies 1 through 5 under Policy 2 (b) [see page 45].

Policies Within the Greenbelt and the Outer Planning Area

1. Encourage the State and the County to protect plants and animals consistent with the City's policies within the *Urban Reserve Line*.

Open Space Element

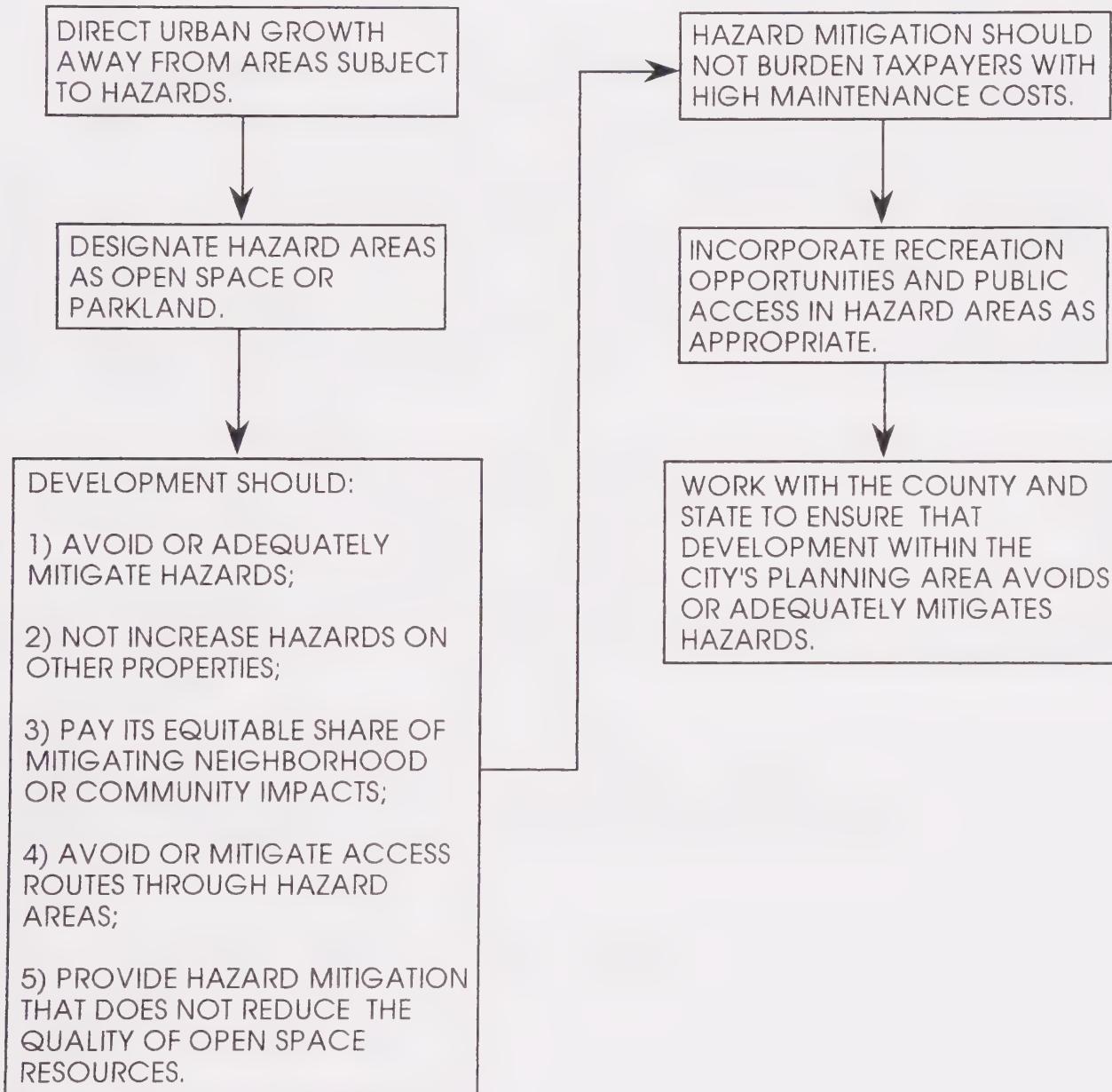
Programs Within the Urban Reserve Line, the City Limit Line, the Greenbelt, and the Outer Planning Area Also see Creek Programs (pages 27 and 29).

1. The City, State, and County should:

- A. Maintain current lists from USFWS, CNPS, and F&G which document those species listed in Tables I and II. All jurisdictions should keep current maps which document where these resources may be located.
- B. Jointly plan for wildlife corridors under highways, major roads, and other similar impediments.

HAZARD AREAS (LAND INSTABILITY, FIRE, FLOODING, AIRPORT IMPACTS, AND SEISMIC ACTIVITY) POLICY GUIDE

Refer to the following Section for background and other policies.



F. HAZARD AREAS (LAND INSTABILITY, FIRE, FLOODING, AIRPORT, AND SEISMIC)



Portions of Mission Trailer Park (located on Dana Street) during the January 1969 flood.

Purpose

Land development within the City and its Planning Area is subject to a number of hazards, including earthquakes, land instability, flooding, fire, and dangers from airport operations and electromagnetic fields. Many of the hazards discussed in this section are avoidable. They pose a risk to life and property only when land is used in a way which is unsuitable for the conditions in the area.

Development in hazardous areas can result in serious damage to public and private property and endanger public safety as well. Such development is also costly to a community. It often results in public and private expenditures to repair damage and protect property. Limiting development in hazard areas reduces community costs in the long-term and mitigates public safety concerns.

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The major subject matter of this section is the avoidance of risks encountered through land development. The purpose of this section is to avoid or minimize these risks and to protect public health, safety, and welfare.

Community Goals

Direct urban growth away from areas subject to *hazards* and preserve *hazard* areas as *open space* or parkland.

Protect life and property from *hazards*.

Minimize social and economic dislocations associated with *hazards*.

Policies Within the *Urban Reserve Line* and the *City Limit Line*

1. Within the *city limits* the City should ensure that, and outside the *city limits* the City will encourage the County to ensure that:
 - A. *Development* avoids or adequately mitigates *hazards*.
 - B. *Development* does not increase *hazards* on other properties in the area.
 - C. *Development* pays its equitable share for mitigating *hazards* that effect neighborhoods or the community at large.
 - D. Access to *development* does not pass through hazard areas unless the *hazard* is mitigated.
 - E. *Hazard* mitigation measures do not reduce the quality of *open space* resources such as *creeks*, *wetlands*, or *hills*.
 - F. *Hazard* mitigation measures do not burden the taxpayers with high maintenance costs.
2. The City should incorporate recreation and public access in *hazard* areas consistent with this Chapter, the Outdoor Recreation section.

Policies Within the *Greenbelt* and the *Outer Planning Area*

1. The City should work with the State and County to ensure that:
 - A. Any proposal to expand the City's *Urban Reserve Line* or the County's *Village Reserve Line* to allow additional *urban uses* avoids *hazard* areas or adequately mitigate *hazards*.

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- B. Rural housing, including any *clustered development*, avoids hazards.
- C. Mineral extraction does not increase *hazards*.

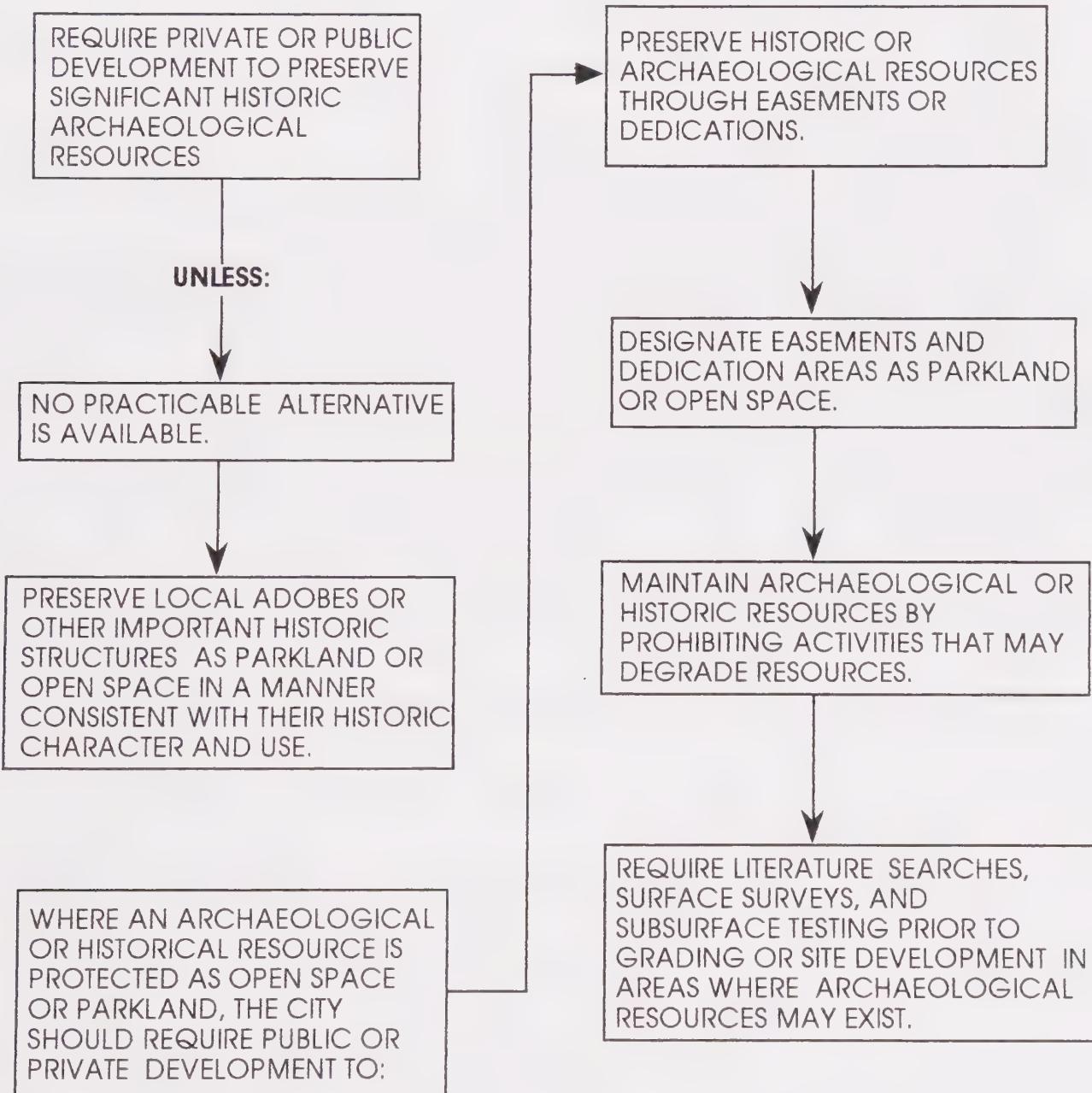
Programs Within the *Urban Reserve Line* and the *City Limit Line*

- 1. Develop standards for new development proposed adjacent to electromagnetic fields based upon monitoring and research when evidence clearly demonstrates hazardous effects associated with EMFs.

Other Relevant Elements:

- 1. City of San Luis Obispo Safety Element.
- 2. The City of San Luis Obispo Seismic Safety Element.

HISTORICAL, ARCHAEOLOGICAL, OR CULTURAL RESOURCES
Refer to the following Section for background and other policies.



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G. HISTORICAL, ARCHAEOLOGICAL, OR CULTURAL RESOURCES



Rodriguez Adobe with Islay Hill in the background.

Purpose

The historic, cultural, and archaeological resources of San Luis Obispo represent the history of this area. Safeguarding such resources provides aesthetic and economic contributions to the community, generates civic pride, and links the community with its history.

In 1987, the City adopted Historical Preservation Guidelines that directly address the preservation of historic buildings and sites. This section identifies policies and programs to preserve historical and archaeological resources as *open space* or parkland.

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Policies Within the *Urban Reserve Line* and the *City Limit Line*

1. Within the *city limits* the City should, and outside the *city limits*, should encourage the County to, require public or private development to:
 - A. Preserve *significant* historic archaeological resources as *open space* or parkland unless no *practicable alternative* is available.
 - B. Preserve local adobes (such as the Rodriguez, Bowden, Dallidet, and the Dana Street Adobes) or other important historic structures located in open areas as *open space* or parkland (for the location of these structures see the Site Map, sites 6 through 10).
 - C. Provide sufficient acreage around the Bowden and Rodriguez adobes to allow for their appreciation as rural, historic structures. This area around the adobe should be designated as parkland or *open space* and maintained in a manner that will enhance that adobe's historical character.
 - D. Provide sufficient acreage around Sunny Acres to use the property for a community center, urban garden, natural history museum and adjoining botanical garden, or similar uses.
 - E. Maintain the Southern Pacific Water Tower (site #11, Site Map) and adjoining city-owned land as *open space* or parkland.
 - F. Incorporate recreation and public access near protected historical, archaeological, or cultural resources consistent with this chapter and the Outdoor Recreation Section.
2. Within the *city limits* the City should, and outside the *city limits* encourage the County to, require public or private development to do the following where archaeological or historical resources are protected as *open space* or parkland:
 - A. Preserve such resources through easements or dedications. Subdivision parcel lines or easements shall be located to optimize resource protection. Easements as a condition of *development* approval shall be required only for structural additions or new structures, not for accessory structures or tree removal permits. If a historic or archaeological resource is located within an *open space* parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval.
 - B. Designate such easements or dedication areas as as *open space* or parkland as appropriate.

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- C. Maintain such resources by prohibiting activities that may significantly degrade the resource.
- 3. In areas where it is suspected that archaeological resources may exist, the City should require, or encourage the County to require, surface surveys, literature searches, and sub-surface testing prior to site development or grading.

Programs Within the *City Limits, Urban Reserve Line, the Greenbelt, and the Outer Planning Area*

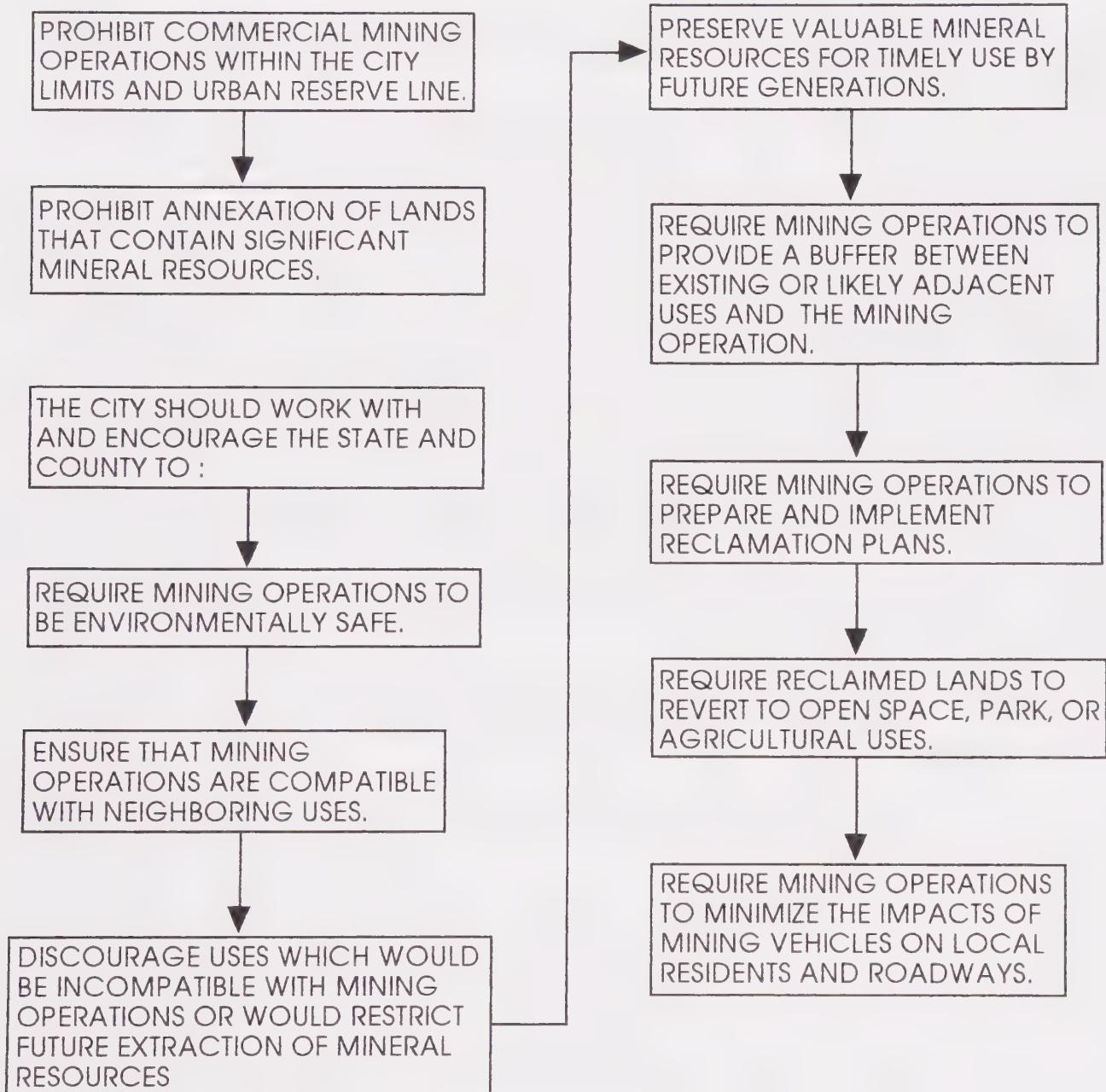
1. Within the *city limits*, the City should adopt guidelines and standards for archaeological survey work and methods for preserving archaeological resources. The City should encourage the County to adopt similar guidelines and standards, or use City standards within the Urban Reserve Line, the Greenbelt, and the Outer Planning Area.
2. The City, County, and State should work together to develop guidelines for protection of historical and archaeological resources.

Other Relevant Policies/Plans:

1. City of San Luis Obispo Historical Preservation Guidelines (1987).
2. City Conservation Element

MINERAL RESOURCES

Refer to the following Section for background and other policies.



H. MINERAL RESOURCES



A quarry operation on Bishop Peak (as seen from Foothill Boulevard).

Purpose

Mineral resource development can be important to state and local economies. Within the City's *greenbelt* and the *Outer Planning Area* there are numerous mines. These quarry operations primarily consist of mining for aggregate deposits (sand, rock, and gravel) and heavy metals (such as chromite and manganese). Mineral resources are presented as an *open space* issue because (a) mining requires land which is undeveloped, and (b) mined lands may revert to *open space* uses when mining ceases.

The purpose of this section is (a) the preservation of mineral resources, and (b) the environmentally wise development of these resources (since mining can disrupt habitat, mar *scenic resources*, and cause water and air pollution).

Community Goals

Preserve valuable mineral resources for timely use by future generations.

Require mining operations to be environmentally safe.

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Ensure that mining operations are compatible with neighboring uses.

Require that mined lands be reclaimed in an aesthetic and environmentally sound manner.

Policies Within the City Limit Line and Urban Reserve Line

1. Within the *city limits* the City should, and outside the *city limits* the City should encourage the County to:
 - A. Prohibit commercial mining operations due to environmental and aesthetic concerns, as well as neighborhood compatibility issues associated with *urban uses* adjacent to mining operations.
 - B. Prohibit annexation of lands that contain important mineral resources on the basis that such lands (a) should be designated by the County as Energy (EX) or Resource Extraction Area (EX₁), (b) should remain in a rural or semi-rural area so conflicts between adjacent uses do not occur, and (c) should be preserved for future mineral resource extraction.

Policies Within the Greenbelt and Outer Planning Area

1. Encourage the County to:
 - A. Preserve important mineral resources areas for mineral extraction.
 - B. Designate important mineral resource areas with a County combining designation of Energy (EX) or Resource Extraction Area (EX₁) (as applicable).
 - C. Have reclaimed lands revert to *open space*, park, or agricultural uses (as applicable).
 - D. Require mining operations to:
 1. Provide a *buffer* between existing or likely adjacent uses and the mining operation to minimize (A) incompatibility, and (B) environmental and aesthetic impacts associated with that mining operation.
 2. Be environmentally sound and as aesthetically compatible as possible. In addition, require reclamation plans to mitigate environmental impacts and incorporate an adequate security to guarantee proposed reclamation.

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3. Minimize impacts to local residents and City roadways.
2. The City, County, and State should discourage *urban uses* adjacent to mining if such uses would be incompatible with mining operations, or would restrict future extraction of important mineral resources.

Programs Within the *Urban Reserve Line*, the *City Limit Line*, the *Greenbelt*, and the *Outer Planning Area*

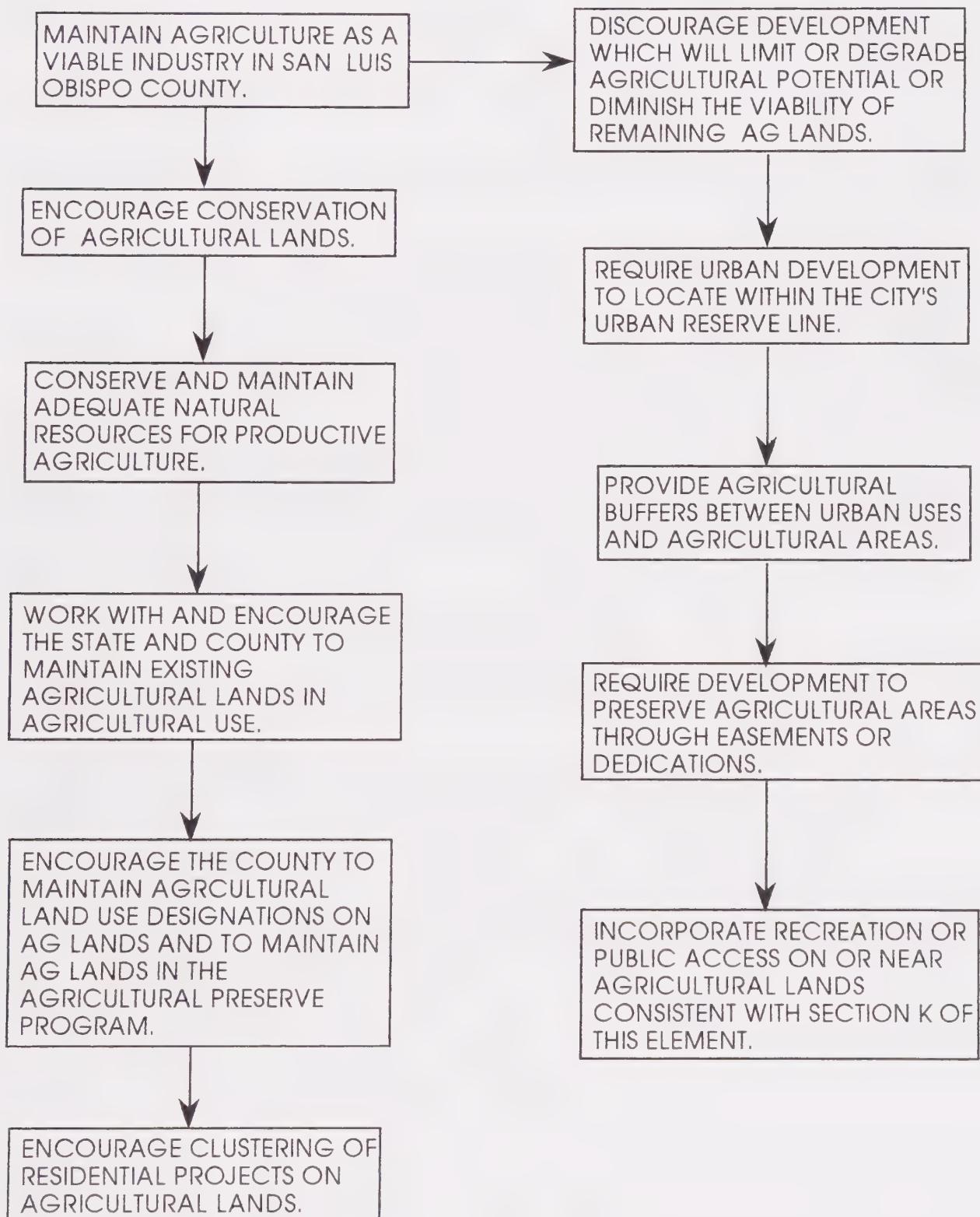
1. The City should:
 - A. Revise the Municipal Code to prohibit commercial mining within the *City Limits*.
 - B. Encourage the County to prohibit commercial mining within the Urban Reserve Line.
 - C. In conjunction with the County and State, identify and map old mining or dumping sites that are unlikely to be reclaimed (because no responsible party has filed a reclamation plan), or have not been reclaimed properly. Identification of these sites would (1) make it more likely that such sites may be reclaimed properly in the future, (2) warn perspective buyers of potential liability, and (3) better enable jurisdictions to solve problems associated with such properties.

Programs Within the *Greenbelt* and the *Outer Planning Area*

1. The City shall encourage the County to:
 - A. Review, catalogue, and map important mineral resources within the City's *greenbelt* and *Outer Planning Area*, and provide this information to the City and the State on a regular basis (as important changes occur). Such information would allow the City and State to better plan land uses near areas that are mined or are likely to be mined.
 - B. As mineral resources become important, designate (through County combining designations) important mineral resource areas as Energy (EX) or Resource Extraction Area (EX₁) to make clear these lands should be preserved for mineral extraction.

AGRICULTURAL LANDS POLICY GUIDE

Refer to the following Agricultural Lands Section for background and other policies



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I. AGRICULTURAL LANDS



Agriculture along Los Osos Valley Road (the Irish Hills in the background).

Purpose

California's agricultural lands contribute substantially to the State, national, and world food supplies, and represent a vital part of the State's economy. In 1991, California produced agricultural commodities valued at approximately \$18 billion. In that same year, San Luis Obispo (SLO) County produced agricultural commodities valued at approximately \$261 million.¹

As can be seen from these statistics, agriculture is an important and productive industry in SLO County. It is an industry which stimulates revenue while placing few demands on the taxpayer. Within the County, agriculture occupies roughly 1,290,633 acres, occupying most of the county's private land base.² Agriculture was the hub of the City's economic activity until the 1940s. Today there are about 1,200 acres of prime soils in and around the City which can produce up to three crops

¹Ray Borton, State of California Department of Food and Agriculture, Agriculture Statistics, telephone conversation September 4, 1992.

²San Luis Obispo County, Department of Agriculture Weights and Measures, 1990 Annual Report Agriculture Land Use, San Luis Obispo.

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a year. Some of this land is still cultivated and grazed. As an industry, agriculture not only represents an economic benefit, but also contributes to the region's quality of life. The City's agricultural surroundings are an integral part of the aesthetic appeal that draws tourists to the community. As a result, it is highly desirable that important agricultural lands be preserved for ~~only~~ agricultural uses.

California is losing approximately 44,000 acres of agricultural land each year to urbanization.³ As a comparison, according to the most recent Census of Agriculture, total California land in farms dropped 4.9% from 1980 - 1987, compared to just 2.3% for the nation as a whole. Since 1980, approximately 4,000 acres in San Luis Obispo County have been converted from an agricultural category to other land use categories.⁴ Such losses are due to an increasing demand for housing, business, and public facilities; lack of zoning protection; competition for resources (such as water); and inflated agricultural land values. As the population of the State and the County continue to increase, pressures to convert farming and ranching lands to non-agricultural uses will increase. Unless long-term protection mechanisms are instituted at the state and local level, agricultural lands will continue to be lost.

Community Goals

Encourage permanent conservation of agricultural lands to protect the agricultural economy of the County and the state.

Maintain agriculture as a viable industry in San Luis Obispo County.

Discourage development and subdivisions on agricultural lands when it will limit or degrade the land's agricultural potential or diminish the stability or viability of remaining agricultural lands.

Provide adequate *agricultural buffers* between *urban uses* and agricultural areas so conflicts between agriculture and urban development are diminished.

Conserve and maintain adequate natural resources (such as groundwater) for productive agriculture.

³ Borton, *ibid.*

⁴ San Luis Obispo County Department of Agriculture, Weights and Measures, *ibid.*

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Policies Within the Urban Reserve Line and the City Limit Line

1. The City should:
 - A. When the remaining unincorporated area bounded by Los Osos Valley Road, Madonna Road, and Highway 101 is annexed to the City (see site #12, Site Map):
 1. Preserve as agriculture the southern portion of the Dalidio property, and the northern portions of the McBride and Madonna properties (all designated *open space* by the LUE Map);
 2. Preserve as *open space* (A) Prefumo Creek and associated *creek setback* area, and (B) the portion of the Dalidio property utilized by herons and other *unique resources or sensitive habitat*; and
 3. Consider a transfer of commercial development potential from the Dalidio site's commercial area to the Madonna Plaza and Central Coast Plaza sites. Such a program could (A) form one viable shopping center versus three largely independent centers, and (B) allow additional prime farmland to be preserved as agriculture.
 - B. Work with Cal Poly to determine if the Orchard area should be preserved as *agricultural land* and as an entry into the City (see site #13, Site Map). If appropriate, examine the possibility of a *transfer of development credit* between the Orchard area and the Dalidio *open space* area.
 2. Within the *city limits* the City shall require, and outside the *city limits* encourage the County to require, that *urban uses* adjacent to *agricultural lands* provide an *agricultural buffer*. Only eliminate or modify the *agricultural buffer* requirement if there are significant topographical differences, a barrier of vegetation capable of eliminating potentially adverse impacts associated with agriculture on adjacent development, or existing physical barriers between the urban development and the agricultural land. If a developer cannot provide an adequate *agricultural buffer* between *urban uses* and agricultural land, the developer shall pay a *mitigation fee* to purchase agricultural protection elsewhere within the *greenbelt*.
 - A. Where the parcel proposed for development is within the URL, and the agricultural land is outside the URL, an agricultural buffer shall be provided on the developing parcel within the URL and maintained indefinitely until the URL is expanded to encompass the agricultural parcel or the City determines that: (1) there is no likelihood agriculture will occur on the

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agricultural land in the future , and (2) removal of the buffer will not adversely impact other agricultural lands in the general area. (see Figure 8)

- B. Where the parcel proposed for development is within the URL or *city limits* and the agricultural parcel is within the URL or *city limits*, an agricultural buffer located on the developing parcel shall be provided; however, once the agricultural land is developed with urban uses this agricultural buffer may be removed at the discretion of the City. (see Figure 8) If a mitigation fee has been paid instead of providing the agricultural buffer, this fee should not be refunded since it provides compensation for short-term impacts to agriculture.

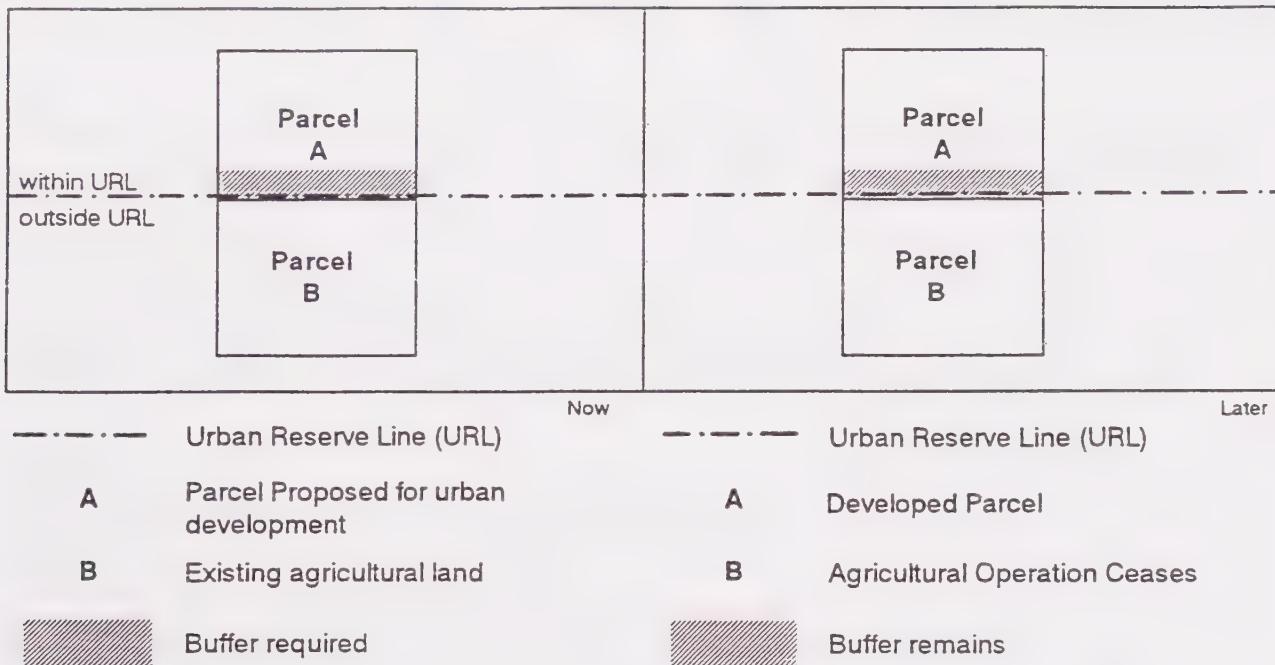
Policies Within the Greenbelt and the Outer Planning Area

- 1. The City should encourage and work with the State and County to:
 - A. Maintain *agricultural lands* for agricultural uses, and require *urban uses* to locate within the City's *URL*. [Agricultural structures are not considered *urban uses*. See the definition of *urban uses*.]
 - B. Encourage residential *clustering* projects on *agricultural lands* when such projects would maintain viable agriculture.
 - C. Maintain agricultural land use designations on *agricultural lands* and maintain the agricultural use of *agricultural lands* in the County's agricultural preserve program.
 - D. Work with the Farm Bureau or other farm organizations as appropriate to: (1) provide public events which provide interest in the nature, value, and problems of local agriculture, such as Family Farm Days and educational programs; (2) help sponsor or raise money for agricultural facilities that are necessary for agriculture as a whole within the County (such as a mobile lab unit); (3) retain adequate groundwater for agricultural uses; and (4) provide (as feasible) reclaimed water for agricultural uses.
 - E. Protect *agricultural lands* from new highways and other similar projects that would favor or encourage *urban uses* or divide viable agricultural land.
 - F. Support changes in local, state, and federal taxing structures which promote the retention of agricultural parcels in agricultural uses.
 - G. Tax *agricultural land* according to the agricultural income it produces rather than according to market value influenced by the possibility of *urban uses*, and avoid taxing *agricultural lands* for the support of essentially urban services that farmers seldom use.

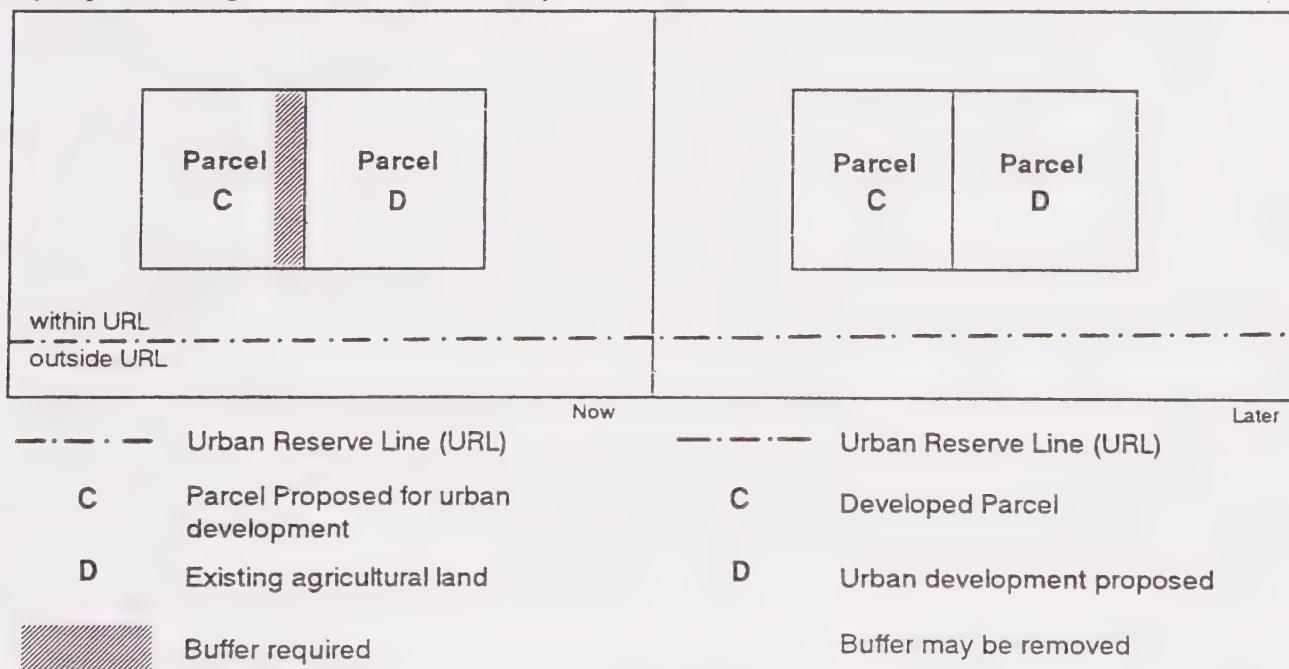
Open Space Element

- H. Lease publicly owned *agricultural lands* back to farmers, or utilize such land as demonstration projects that will benefit local farmers.
- I. Require public and private *development* to:
 1. Locate (A) *urban uses* within the City's *Urban Reserve Line*, and (B) suburban development within the County's *Urban Village Lines* or existing suburban areas (see the Greenbelt Map for existing suburban areas).
 2. Maintain agricultural zoning that preserves large parcels suitable for continued agricultural operations and prohibits the subdivision of *agricultural lands* to smaller lots unless such development: (A) is part of a *cluster* project, (B) the project will not conflict with adjacent agricultural operations; (C) will not hamper or discourage long-term agricultural operations either on-site or on adjacent *agricultural lands*; and (D) will not individually or cumulatively impact adjacent agriculture or agriculture within the *greenbelt* or *Outer Planning Area*.
 3. Provide an *agricultural buffer* around parkland, golf courses, and public facilities if they are located adjacent to *agricultural lands*. Only eliminate or modify the *agricultural buffer* requirement if there are significant topographical differences, an existing barrier of vegetation which eliminates the potential for agricultural activities to create a nuisance to adjacent land uses, or existing physical barriers between the urban development and the agricultural land. If a developer cannot provide an adequate *agricultural buffer* between such uses and agricultural land, the developer shall pay a *mitigation fee* to purchase agricultural protection elsewhere within the *greenbelt*.
 4. Incorporate design, construction, and maintenance techniques that: (1) protect agriculture, (2) minimize conflicts with adjacent uses, and (3) are consistent with the Scenic Resource Section of this Chapter.
2. The City shall encourage the State and County to require agricultural clustering projects to: (a) combine structures in one area of a parcel, or primarily one area of combined parcels; (b) retain viable acreage in agricultural uses; (c) be compatible with adjacent agricultural operations; (d) maintain agriculture on *prime farmland*; (e) minimize visual impacts on *scenic resources*; and (f) be consistent with the City's Land Use Element Update.

Figure 8- Agricultural Buffers Within and Outside the URL and City Limits



Depicted above is parcel A proposed for an urban use. Parcel A is within the URL, while Parcel B (which is agricultural land) is outside the URL. Parcel A must provide an agricultural buffer. Since Parcel A is located adjacent to the URL the agricultural buffer must remain indefinitely between Parcel A and B until the URL is expanded or the City determines that: (1) there is no likelihood agriculture will occur on Parcel B in the future, and (2) removal of the buffer on Parcel A will not adversely impact other agricultural lands near or adjacent to Parcel B.



Depicted above is Parcel C proposed for an urban use and Parcel D presently remaining as agricultural land. In this case both parcels are within the URL. Parcel C must provide an agricultural buffer to protect the agricultural land on Parcel D; however, since parcel D is slated for urban development (because it is within the URL and zoned by the City for development), at the time Parcel D develops the agricultural buffer on Parcel C may be removed (at the discretion of the City).

Open Space Element

3. Where agricultural protection is proposed or required, the City shall encourage the County and State to require public or private development to:
 - A. Preserve agricultural areas through easements or dedications. Subdivision parcel lines or easements shall be located to optimize resource protection. Easements as a condition of discretionary *development* approvals shall be required only for structural additions or new structures, not for accessory structures or tree removal permits. Allowed uses and require maintenance within an agricultural parcel or easement shall be clearly defined and conditioned prior to map or project approval.
 - B. Designate easements or dedications (as enumerated in a above) with a land use designation of agriculture.
 - C. Incorporate recreation and public access near or on agricultural lands consistent with this Chapter, the Outdoor Recreation section.

Programs Within the *Urban Reserve Line*, the *Greenbelt*, and the *Outer Planning Area*

1. The City should encourage the State and County to:
 - A. Work together with the Farm Bureau and other farm organizations to study: (1) the supply and demand for farm worker housing; (2) the supply and demand for farm-related services; and (3) how San Luis Obispo, neighboring cities, and the County could better meet these demands.
 - B. Review present farm taxing procedures to determine if there are methods (beyond the Williamson Act) to tax farming according to farm income versus the land's market value. A tax rebate or similar procedure should be considered.
 - C. Review the possibility of a low-interest loan program that could be offered to eligible agricultural operations to support their continued operation and stability.
 - D. Continue to identify important *agricultural lands* within the City's *greenbelt* and *Outer Planning Area* that are presently threatened by *urban uses*.
2. The City shall work with the County to prepare an agricultural land impact mitigation fee process which establishes how the mitigation fee is to be determined as well as how the fee will be used.

Open Space Element

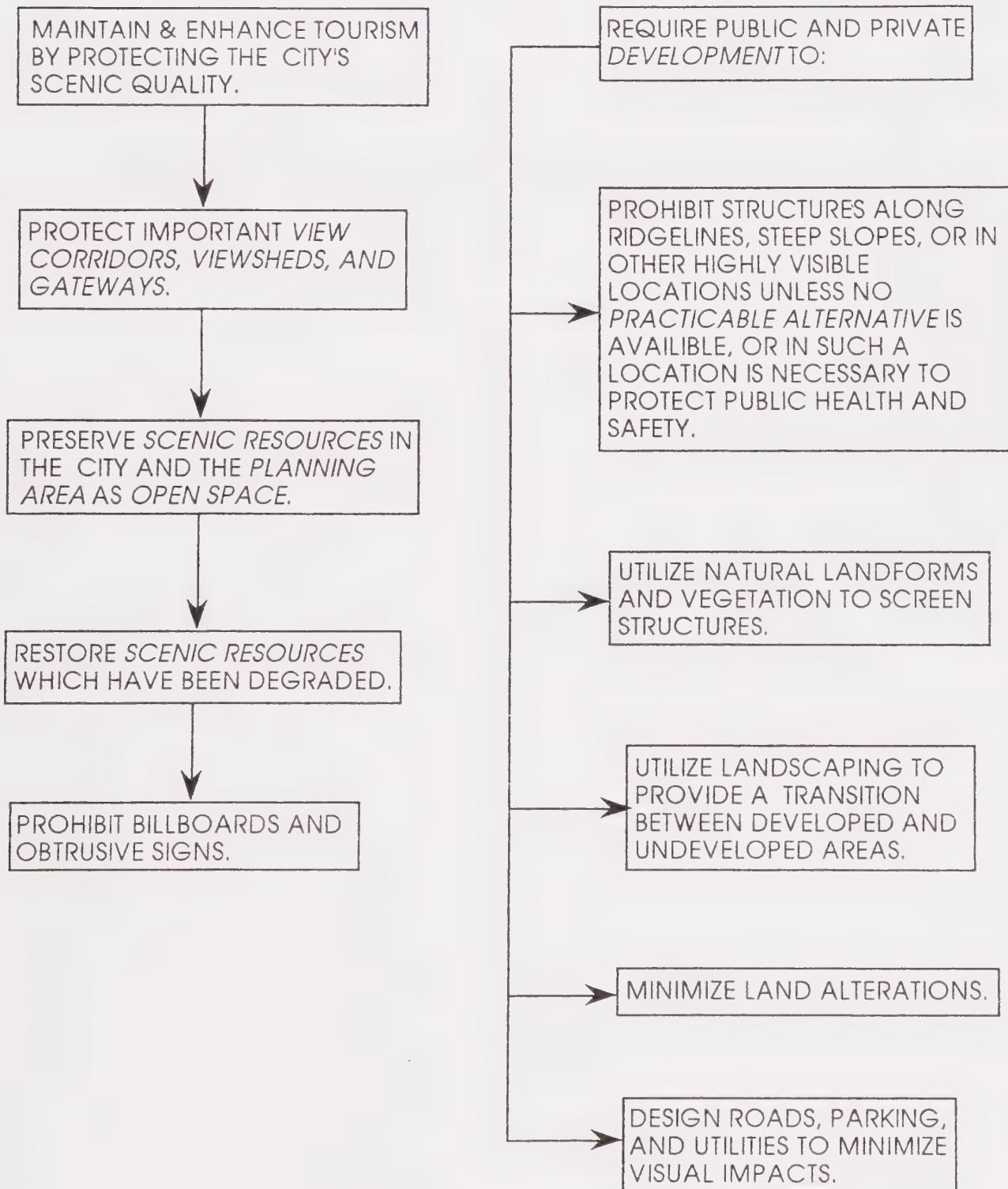
Contained in other Elements

1. See the Land Use Element guidelines regarding extension of urban services to rural lands.
2. See the Land Use Element guidelines for *clustering*.

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SCENIC RESOURCES POLICY GUIDE

Refer to the following Scenic Resources Section for background and other policies.



Open Space Element

J. SCENIC RESOURCES



A view of the Morros from Laguna Lake.

Purpose

The City of San Luis Obispo contains *scenic resources* and *view corridors* that rival many found elsewhere in the State. These amenities contribute not only to the area's quality of life, creating a pleasant surrounding to live, work, and recreate in, but are also important for economic reasons (such as tourism and maintenance of local property values). This section identifies policies and programs to protect *scenic resources*, and important *view corridors*, *viewsheds*, and *gateways*.

Community Goals

Maintain and enhance tourism in San Luis Obispo by protecting the City's scenic quality.

Preserve *scenic resources* within the City and its *Planning Area* as *open space*.

Restore *scenic resources* which have been degraded.

Protect important *view corridors*, *viewsheds*, and *gateways* within the City and its *Planning Area*.

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Policies Within the City Limit Line, the Urban Reserve Line, the Greenbelt, and Outer Planning Area

1. Within the *city limits* the City should, and outside the *city limits* the City will encourage the State and County to:
 - A. Preserve *scenic resources* consistent with the policies in this Element.
 - B. Prohibit billboards and obtrusive signs.
 - C. Require public or private *development* to protect *scenic resources* by:
 1. Prohibiting structures along ridgelines, steep slopes, or in other highly visible locations unless no *practicable alternative* is available, or such a location is necessary to protect public health and safety.
 2. Utilizing natural landforms and vegetation for screening structures, access roads, building foundations, and cut and fill slopes.
 3. Including landscaping which: (A) provides a landscape transition between developed areas and adjacent *open space* or undeveloped areas; and (B) is compatible with the *scenic resource* being protected.
 4. Incorporating sound Soil Conservation Service practices and minimizing land alterations. Land alterations should be minimized by: (A) keeping cuts and fills to a minimum; (B) limiting grading to the smallest practical area of land; (C) limiting land exposure to the shortest practical amount of time; (D) replanting graded areas to insure establishment of plant cover before the next rainy season; and (E) creating grading contours that blend with the natural contours on site or look like contours that would naturally occur.
 5. Designing roads, parking, and utilities to minimize visual impacts. If possible, utilities should be underground. Roadways and parking should fit the natural terrain.
 6. Designing projects to fit the site's scale and character. Structures should be designed and located so: (A) they do not silhouette against ridgelines, mountaintops, or hilltops, (B) roof lines and vertical architectural features blend with and do not detract from the natural background or ridge outline, (C) residential density and massing is decreased with increased elevation where it would mar the scenic quality of the *scenic resource*, (D) they fit the natural terrain, and (E) they utilize building materials, colors, and textures that blend with the natural landscape and avoid the creation of high-contrast situations.

Open Space Element

D. Protect important *view corridors, viewsheds, and gateways* by:

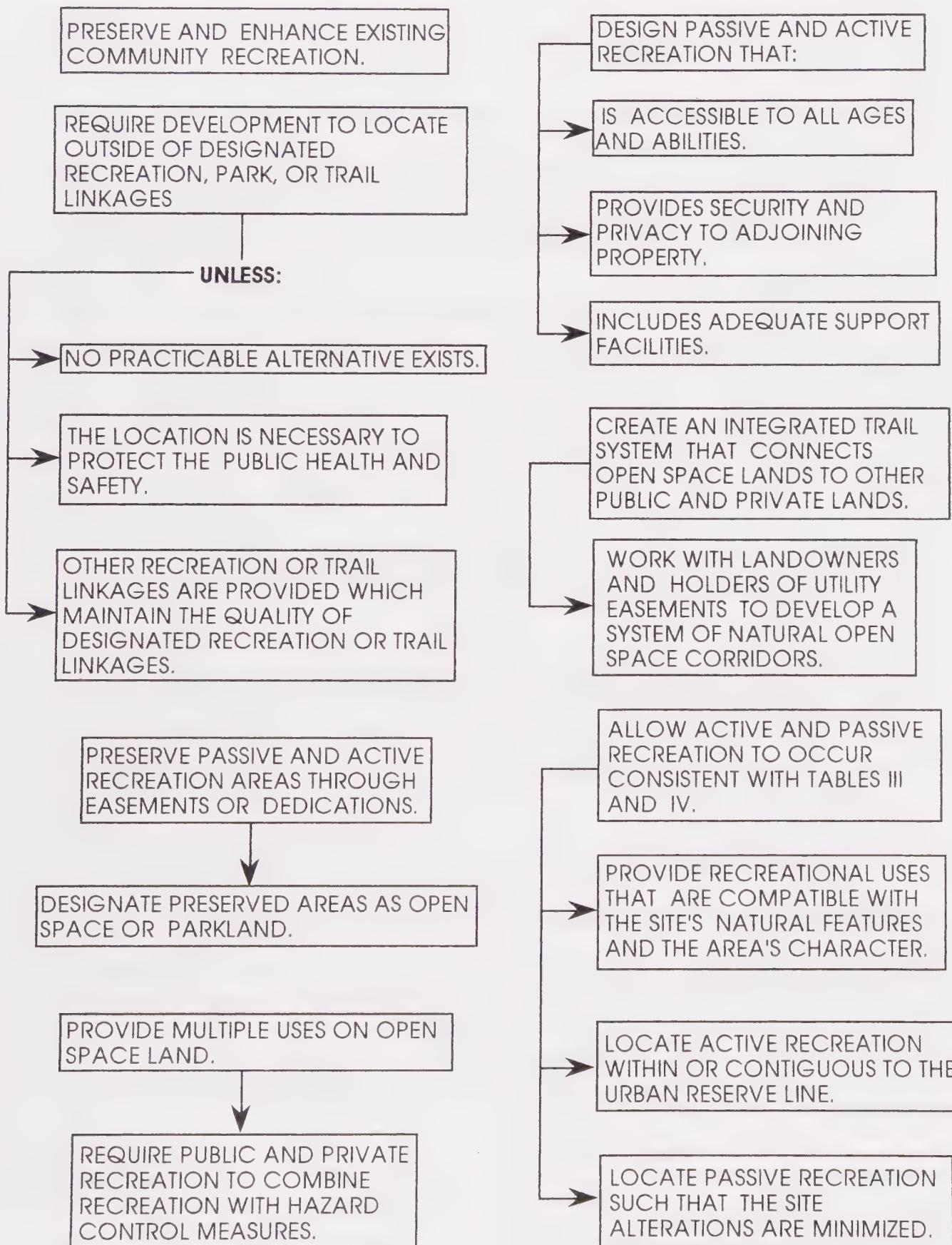
1. Assessing new development's potential impact on these resources.
2. Mitigating, to the extent feasible, projects which would adversely impact important *view corridors, viewsheds, or gateways*. When assessing scenic impacts along a *gateway* (when the land is used for agriculture and will be maintained in agriculture), preserving agricultural viability should have a higher priority than preserving scenic quality along the *gateway*.

Programs Within the *Urban Reserve Line, the City Limit Line, the Greenbelt, and the Outer Planning Area*

1. To adequately protect *scenic resources, important view corridors, viewsheds, and gateways*, the City should:
 - A. Encourage the County and the State to protect the gateways into the City.
 - B. Encourage the County to review and update their Land Use Ordinance (LUO), their Sensitive Resource Area Standards, and their grading regulations to adequately protect such resources.
 - C. Work with the County and the State to have the *gateways* into the City designated as State Designated Scenic Highways or Corridors, or provide other protection mechanisms. Protection mechanisms should not adversely impact agriculture.
 - D. Work with the State and County to eliminate existing billboards within the City and its *Planning Area*.
2. The City should develop:
 - A. Precise scenic corridor boundaries located along designated scenic roadways; and
 - B. Specific setback distances, height limitations, lot coverage standards, architectural standards and landscape standards for all property within scenic roadway corridors to ensure that views from the roadway are maintained.

OUTDOOR RECREATION POLICY GUIDE

Refer to the following Outdoor Recreation Section for background and other policies.



K. OUTDOOR RECREATION

Purpose

The demand for recreation will continue to increase in the future. In fact, participation in recreation activities is anticipated to increase at a rate greater than population growth. In today's society, lack of time is the primary constraint preventing people from more frequently enjoying recreation. As a result of the need to minimize recreational travel time, coupled with ever-increasing demand, significant natural areas that offer activities such as hiking and nature appreciation near major population centers will continue to have considerable community appeal.

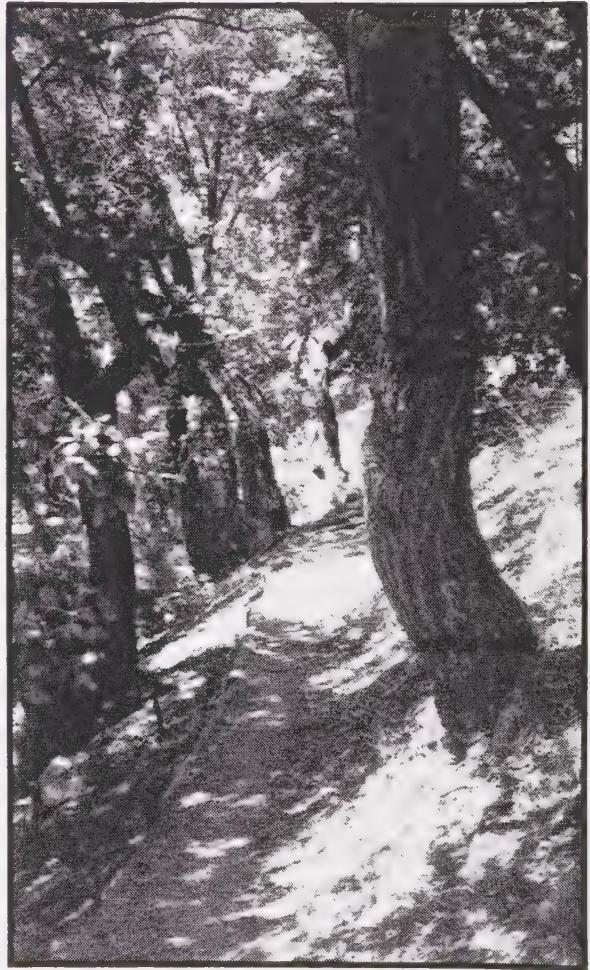
The City of San Luis Obispo Park and Recreation Element identifies goals, policies, and programs for parks and associated recreation facilities. It is not the purpose of the Open Space Element to duplicate the Park and Recreation Element. For more information regarding parks and recreation within the City of San Luis Obispo see the City's Park and Recreation Element. The purpose of this section is to discuss what recreation opportunities should be preserved as *open space* and the type of recreation that should exist on *open space* land.

Community Goals

Preserve and enhance existing community recreation.

Create an integrated trail system that connects City *open space* lands to other public or private lands.

Provide recreational uses that are consistent with the site's environmental features and the area's character.



A passive trail in Poly Canyon.

Open Space Element

Provide multiple uses on *open space* lands (such as recreation, resource preservation, and watershed).

Policies Within the *Urban Reserve Line*, the *City Limit Line*, the *Greenbelt*, and the *Outer Planning Area*

1. Within the *city limits* the City shall, and outside the *city limits* the City shall encourage the County and State to:
 - A. Coordinate park, open space, recreation planning and development, including joint projects.
 - B. Work with landowners and holders of utility easements to develop a system of natural resource *open space* corridors (some with trails where appropriate) that connect *open space* or recreational areas with other *open space* lands, parks, and trails. Trails should avoid *sensitive habitat* and neighbor issues. Trails and *open space* corridors should be acquired from a willing seller.
 - C. Utilize the criteria in Table III and IV to determine where recreation should not occur, and when *passive* versus *active recreation* should be encouraged. [All criteria listed in Table III may not be applicable to an individual project; however, general consistency should be used to determine whether proposed recreation is appropriate.]
 - D. Require public or private *development* to locate *development* outside of designated park, recreation, or trail linkages unless: (1) no *practicable alternative* is available, (2) *development* in this area is necessary to protect public health and safety and proposed recreation would be incompatible with the public health and safety concern, or (3) other appropriate recreation or trail linkages are provided which maintain the quality of designated recreation or linkages.
 - E. When financially feasible, including on-going operations and maintenance costs, require public and private *development* to combine recreation with *hazard control measures*. For example, provide trails as part of a bypass channel or airport buffer area, or recreation as part of a detention basins.
 - F. Where recreation is required or proposed, require public or private development to:
 1. Locate *active recreation* within or contiguous to the *URL* (except for recreation proposed within El Chorro Regional Park and Cuesta Community College), and housing, hotels, or other commercial, residential, or industrial *development* associated with golf courses or resorts within the *URL*.

Open Space Element

2. Locate *passive recreation* such that: (A) site alterations are minimized; (B) adequate plantings occur to soften site alterations; (C) public access is restricted or limited in sensitive areas (as necessary to protect *sensitive habitat* or to prevent erosion during the rainy season); and (D) efficient linkages are provided to proposed or existing trails or recreation areas.
3. Incorporate design, construction, and maintenance techniques that: (A) preserve and enhance the aesthetic qualities of *open space*, parkland, or the productivity of agricultural lands; (B) will not cause or make worse natural *hazards*; (C) include erosion and sediment control practices; and (D) minimize land use and neighborhood conflicts.
4. Design *passive* and *active recreation* that: (A) to the extent feasible, is accessible to all ages and abilities; (B) provides security and privacy to adjoining property; and (C) includes adequate support facilities.
5. Preserve *passive recreation* or *active recreation* areas:
 - a. Through easements or dedications consistent with City, State, or County elements, trail plans, and ordinances. If recreation is proposed within an *open space* parcel, park site, or easement, allowed recreational uses and maintenance responsibilities within the parcel or easement should be clearly defined and conditioned prior to map or project approval.
 - b. By designating preserved areas, or portions of preserved areas as: (1) *open space* if the area is used for *passive recreation*, (2) parkland if the area will be used for an *active trail corridor*, (3) *active recreation*, (4) a golf course, botanical garden, or similar recreational facility or as an urban park.
2. Creekside trials should not be established in existing, substantially developed residential areas of the City, where such trails could create a compatibility conflict with surrounding land uses.

Open Space Element

TABLE III - RECREATION LOCATIONS

In General, Prohibit:	In General, provide <i>passive recreation</i> on lands that are more rural or sensitive in character (assuming there are no <i>significant environmental, land use, or neighborhood compatibility impacts</i>), when such lands:	In general, encourage active recreation or an active trail (assuming there are no significant environmental, land use, or neighborhood compatibility impacts or inconsistencies):
Recreation within <i>creek corridors</i> (except Mission Plaza and Mission Plaza expansion areas), <i>wetlands</i> (except portions of Laguna Lake and the wetland area within Meadow Park), <i>sensitive habitat</i> , and similar sensitive areas;	Are public lands designated <i>open space</i> , or other lands where there is a willing provider;	Within the City's URL or contiguous to the URL where such property will have (or has) a parkland designation or a play or recreation area is designated as part of a development proposal;
Recreation where <i>significant environmental impacts occur as a result of the proposed recreation, or the proposed recreation would significantly mar the scenic quality of the site</i> ;	Contain (or will contain) an open space or conservation easement;	Within development projects or subdivisions where <i>active recreation</i> is needed to serve that development;
Recreation if there are <i>significant neighborhood or land use compatibility impacts</i> ; or	Have (or will have) their development rights deeded to a public agency, land conservancy, or similar organization; or	Along corridors that are suited for <i>active trails</i> such as the Southern Pacific railroad right-of-way, urban or major streets; or
Active recreation which is not within or contiguous to the <i>URL</i> (except El Chorro Park and Cuesta College).	Are designated for such recreation by City, County, or State plans, elements, or ordinances.	Consistent with City, County, or State plans, elements, or ordinances.

TABLE IV - RESOURCES & RECREATION

RESOURCE	PROHIBITED	ENCOURAGED ⁵	COMMENTS
Hills & Mountains	Highly erosive areas, or where recreation would significantly mar the resource.	<i>Passive recreation such as trails or viewing stations.</i>	Provide <i>active recreation</i> (such as a trail) in the case such recreation connects <i>open space</i> , parkland, or an <i>active trail corridor</i> .
Creeks, Wetlands, Sensitive Habitat, and Unique Resources	Within <i>creek corridors</i> (except Mission Plaza), within <i>wetlands</i> (except Laguna Lake Park and Meadow Park), <i>sensitive habitat, unique resources</i> , or similar areas.	<i>Passive recreation</i> within the outer perimeter of a <i>creek setback</i> or a <i>habitat buffer</i> .	Recreation such as viewing stations and nature study may be appropriate within a <i>creek corridor</i> as long as protection of the <i>creek corridor</i> is provided. Crossings (such a trail bridge) may be provided in the <i>creek corridor</i> .
Hazard Areas	When recreation would increase the hazard.	<i>Passive or active recreation</i> where hazard control and recreation can both be beneficially provided.	Encourage recreation in hazard areas where recreation facilities will not be damaged.
Historical Resources	Where recreation will harm the resource.	<i>Passive or active recreation</i> (depending on the nature and use of the historical resource).	Encourage interpretive displays near historical resources.
Mineral Resources	Where recreation may represent a public health and safety concern.	Recreation after the land has been reclaimed.	
Agricultural Lands	Where active recreation would bisect an agricultural parcel or interfere with the agricultural operation.	<i>Passive or active trails</i> that connect other <i>open space</i> , parkland, or trail resources.	Passive recreation should not interfere with existing adjacent agricultural operations.
Scenic Resources	Where recreation would significantly mar the resource.	<i>Passive recreation</i> that is secondary to the scenic area being preserved.	In scenic areas viewing stations may be appropriate.
Urban Edge	<i>Active recreation</i> that is not contiguous to or within the URL (except El Chorro Park and Cuesta College).	<i>Passive or active recreation</i> contiguous or within the URL.	

⁵ Assuming the recreation would not result in a *significant* environmental impact, the project would be compatible with neighboring uses, and the recreation is not prohibited.

Programs Within the Urban Reserve Line, the City Limit Line, the Greenbelt, and the Outer Planning Area

1. The City should:
 - A. Work with the County and State to establish a program to encourage individual citizens, user groups, community organizations, schools, and local businesses to assist in trail security, development, maintenance, and restoration.
 - B. Work with the County and State to establish consistent and compatible trail guidelines (such as surfacing, width, user types, and signage).
 - C. Adopt an Urban Trails Plan to update the Urban Trails System Map contained in the 1982 Parks and Recreation Element. The trail plan should provide (1) potential trail locations and connections, (2) the feasibility of constructing such trails, (3) expected costs for trail construction and maintenance, and (4) project priorities. The Urban Trail Plan should emphasize urban area trails while still considering connections to trails within the *greenbelt* and *Outer Planning Area*. The Urban Trails Plan shall not include a creekside trail along San Luis Creek through the existing neighborhood between California Boulevard and State Highway 101.
 - D. Develop a program for joint City/business or City/developer projects. These projects should provide community recreation and potentially revenue for City park and open space purchases or maintenance. For example, work with private developers to develop a golf course. Monies from this project (such as a "tee off tax") should be utilized for open space or park purchases.
 - E. Update the Park and Recreation Element. This update should consider the following sites as parkland with potential *open space* areas:
 1. Mission Plaza and its expansion areas (see site #14, Site Map). Mission Plaza should not be considered a typical creek area. Although this area should include protected natural areas (including some *riparian vegetation* clusters) and adequate *creek setback* areas for commercial/residential structures, Mission Plaza should allow public access along the setback area and into portions of the creek. Benches, picnic areas, and other similar park facilities should be allowed within the setback area. Interpretive displays should be located within Mission Plaza documenting (1) the history of Mission Plaza, and (2) the importance of *creek* resources. Buildings should not

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overhang the setback or cause the setback area to be dark or uninviting. Expansion of this facility should not result in significant biological impacts and should allow for the maintenance of existing habitat value as well as human enjoyment. If impacts occur in these areas, habitat values shall be replaced on-site or off-site (in-kind only) at a 2:1 ratio.

2. Murray Street pedestrian and tree corridor located on Murray Street (between Santa Rosa and Broad Street) (see site #15, Site Map). This trail and tree corridor should be designated as a linear park.
3. Southern Pacific Property located adjacent to Sinsheimer Park (see site #16, Site Map). This 6.6 acre parcel should be considered as *open space* or additional parkland due to its topography and its location adjacent to the railroad corridor and Sinsheimer Park.
4. Trail corridors in expansion areas (see sites marked "E.A.", Site Map). Trail corridors and/or *open space* corridors should be provided in City expansion areas consistent with an approved specific plan, the Land Use Element Update, or the creation of a specific plan. Corridors should provide pedestrian access within the expansion area, and pedestrian access to contiguous commercial areas, trails, or parkland.
5. Southern Pacific Trail Corridor (see site #17, Site Map). This trail corridor along the Southern Pacific railroad lines should be used as an *active trail corridor*. In addition, because of the railroad's historical importance to the town, interpretive displays should be provided along the trail once it is built.
6. Nipomo Street-Higuera Street Parking Lot (see site #18, Site Map). This City-owned property on the intersection's northeast corner should remain open and eventually reused as a public garden or passive park due to the views on this site and its location adjacent to Mission Plaza.
7. Garden Street Linear Park (see site #19, Site Map). The section of Garden Street, between Higuera and Marsh Street should be redesigned for one-way traffic. Related pedestrian improvements, seating, park-type landscaping, and benches should be installed.

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F. Include as a part of the Park and Recreation Element update:

1. Direction that the City work with the County to identify potential golf course sites within and outside the URL.
2. A policy to work with and support the County and State to encourage regional and community parks and facilities such as golf courses to utilize reclaimed water for landscaped areas.
3. Direction that regional and community parks, golf courses, and similar projects should (1) utilize primarily native plants while minimizing turf area; and (2) provide a water conservation plan prior to project approval. The water conservation plan shall be updated every five years, and shall detail water supply and demand for the facility during drought and non-drought years.

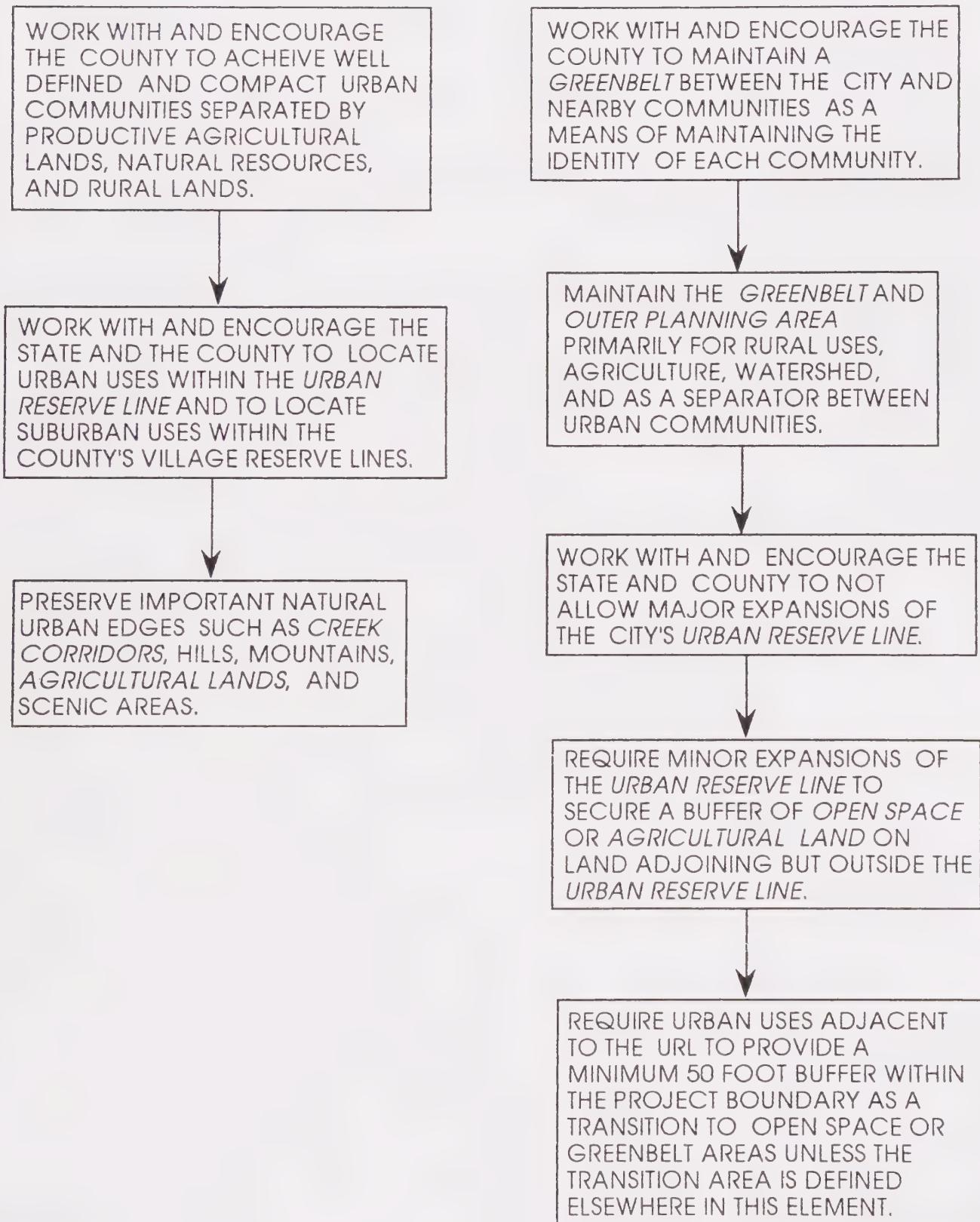
Contained in other Elements

1. For guidelines regarding specific parks see the Park and Recreation Element.

Open Space Element

URBAN EDGE POLICY GUIDE

Refer to the following Urban Edge Section for background and other policies.



L. URBAN EDGE



An existing City urban edge (southeast of the Los Osos Valley Road/Foothill Boulevard intersection).

Purpose

An important difference between the City of San Luis Obispo (SLO) and Los Angeles is that SLO has a defined urban area with rural lands around it; whereas, Los Angeles is an amalgamation of cities, few of which have any distinctive edge. If SLO can continue to direct growth within its *URL*, it will be able to control urban sprawl, provide for orderly development, and maintain consistent land use decisions. Such a direction can also help San Luis Obispo maintain good air quality, and minimize energy consumption and service costs.

By directing where urban development should occur, SLO is also defining areas that should remain rural, basically identifying a *greenbelt*. Such a *greenbelt* can serve as a separator between SLO and other urban communities. Not only does a designated *greenbelt* limit the outward expansion of the urban area, but it also provides residents with a sense of community identity. Since people identify with a social unit that is finite and at a scale they can grasp, the social benefits derived from a *greenbelt* can be substantial. The purpose of this section is the preservation of the City's urban edge.

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Community Goals

Well defined and compact urban communities separated by productive agricultural lands, natural resources, and rural lands.

Maintain a *greenbelt* between the City of San Luis Obispo and nearby communities as a means of maintaining the identity of each community.

Policies Within the *City Limit Line*, *Urban Reserve Line*, and the *Greenbelt*

1. Within the *city limits* the City will, and outside the *city limits* the City will encourage the State and County to:
 - A. Require that: (1) *urban uses* locate within the City's *Urban Reserve Line (URL)*, and (2) suburban uses locate within the County's *Village Reserve Lines* or existing suburban development areas.
 - B. Not allow major expansions of the *URL*, as the existing line provides adequate capacity for new housing and employment up to the City's desired maximum.
 - C. Require projects that would involve minor expansions of the *Urban Reserve Line (URL)* to secure *open space* or agricultural land (either by easement or in fee to the City) on land adjoining but outside the new *URL* location. The *open space* or agricultural land secured should be sizeable enough to serve as a meaningful buffer to additional urban development.
 - D. Preserve important natural urban edges (such as *creek corridors*, *hills*, *mountains*, agricultural lands, and scenic areas) consistent with the policies within this Element.
 - E. Require proposed *urban uses* located adjacent to the *Urban Reserve Line* to provide a transition to *open space* or *greenbelt* areas. Transition areas should add to the preservation of *open space* lands or resources. At a minimum a 50 foot transition area (preserved in essentially a *natural state*) should be provided within the project along the project boundary with the *URL* (unless the transition area is defined elsewhere in this Element).
 - F. Maintain the *greenbelt* and the *Outer Planning Area* primarily for rural uses, agriculture, watershed, and as a separator between urban communities.

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Programs Within the *Urban Reserve Line, City Limit Line, the Greenbelt, and the Outer Planning Area*

1. The City, State, and County should develop a program for the preservation of watershed areas. The program should involve the participation of public agencies, private organizations, agricultural property owners, and individuals familiar with watershed management and protection.

**CHAPTER III - MANAGEMENT OF OPEN SPACE
AND GREENBELT AREAS BY THE CITY**

Introduction

This Chapter provides guidelines for the operation, maintenance and management of *open space* areas as they come under the City's responsibility. These policies should be used in conjunction with specific resource policies cited elsewhere in this element.

Community Goals

Open space lands managed and maintained in a responsible manner.

Multiple uses of *open space* lands (such as watershed, recreation, resource protection).

Open space lands buffered from adjacent *urban uses*.

Resources on *open space* lands protected and enhanced.

Lands acquired and permanently maintained as *open space*.

General Policies:

1. The City will:
 - A. Preserve Reservoir Canyon (see site #20, Site Map) as *open space* (see Appendix C for a description of the property).
 - B. Preserve the Lopez Canyon property as *open space*.
 - C. Preserve Mission Plaza and its expansion area as primarily parkland with some *open space* features (see site #14, Site Map). See Chapter II, the Outdoor Recreation section, regarding other Mission Plaza policies or programs.
 - D. Preserve other properties received as *open space* (through easement or dedication) as *open space* consistent with the specific plan or easement language approved by the City.
2. On *open space* lands the City owns or manages, the City shall:
 - A. Promote the stated goals and policies of the Open Space Element.

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- B. Provide for resource preservation, maintenance of scenic values, and wise and efficient use of natural resources.
- C. Encourage multiple uses (such as watershed, trails, wildlife preservation, agriculture), provided: (1) such multiple uses are consistent with the reason the land was designated *open space*, and (2) recreational uses are consistent with Chapter II, the Outdoor Recreation section.
- D. Prohibit the expansion of adjacent private property uses onto *open space* lands unless such an encroachment benefits the public or the City's management practices. All encroachments must be approved by the City Council.
- E. Prepare *management plans* for large *greenbelt* or *open space* areas (such as Reservoir Canyon) or smaller areas where management or design concerns need to be clarified. *Management plans* shall specify how these *open space* lands will provide recreation, resource protection, access, security, and long-term maintenance and operation.
- F. Utilize the assistance of volunteers, private individuals, user groups, organizations, businesses, and schools to help develop, operate, patrol, and maintain trails, and to sponsor related educational activities.
- G. Discourage construction of roads into or across natural *open space* areas or areas which require separation from human activity.
- H. Maintain agricultural uses (through lease-back procedures or other means) on agricultural lands or portions of such lands provided natural resources are protected (such as *sensitive habitat, creeks, wetlands, and unique resources*).
- I. At select locations, provide public interpretive services that contain information about the property protected, the City's open space program, and/or the value of specific resources.

Policies Regarding Uses on City Owned Or Managed *Open Space* Lands

- 1. Uses on *open space* lands owned or managed by the City:
 - A. Should preserve the natural amenities of the *open space* land.
 - B. May not include uses which would degrade or *significantly* impact resource preservation on-site or an adjacent parcel.
 - C. May consist of the following uses provided allowed uses are compatible with the purpose of the *open space* land:
 - 1. Conservation of soil, vegetation, water, fish, and/or wildlife.

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2. *Passive recreation*, including open areas, trails, viewing stations, hiking, horseback riding, swimming, fishing, photography, painting, sketching and other similar day recreation use.
3. Interpretation and scientific study of the natural environment.
4. Grazing, farming, growing of nursery stock, gardening, and harvesting crops.
5. Landscape or wildlife *restoration* and enhancement programs where the natural landscape has been altered or degraded. Such programs may include restrictions on public access.

Policies Regarding Law Enforcement & Maintenance

1. On *open space* lands the City owns or manages:
 - A. Law enforcement shall be provided by the jurisdiction the *open space* land is located in. The special problems of law enforcement in undeveloped areas will be discussed with the appropriate agencies and solutions tailored to each area.
 - B. The City may lease *open space* lands to the County or other jurisdictions for maintenance and patrol provided all City policies for operation and management are made a condition of the lease agreement.
 - C. It shall be the City's policy to reduce the threat of fire by utilizing fire policies tailored to each area, taking many variables into consideration including:
 1. Closing certain areas to the public.
 2. Reducing fuel loads after careful consideration of alternatives.
 3. Encouraging property owners living adjacent to *open space* areas to assist in the protection of *open space* and their own properties in accordance with City specifications. These specifications will be made available to the public by special mailings and at City Hall.
 - D. When appropriate, the City should enlist adjacent landowners as volunteers to conduct regular site inspections of undeveloped land holdings and report on the property's condition. Volunteers will need to complete a short training session on documenting the condition of a property and on handling potentially difficult situations such as trespass.
 - E. Maintenance and monitoring shall be provided at regular intervals not exceeding yearly inspection and maintenance. More frequent monitoring should be conducted when necessary to avoid problems of trespass.

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- F. The City should maintain *open space* lands for other jurisdictions (State, Federal, or County government) or other property holdings only if: (1) such lands are located near properties already administered by the City; (2) the other jurisdiction agrees to City land management policies; (3) the maintenance and management costs for these lands are borne by the jurisdiction or property holder, or the City determines it is in the best interest of the City to manage these lands and incur a portion or all of the cost of maintenance and management; and (4) the jurisdiction or property holder agrees to guarantee public *open space* use of the property in perpetuity.
2. Open space uses proposed adjacent to noise sensitive uses shall include the following mitigation measures (unless there is an emergency which requires immediate action by the City):
 - A. All construction and maintenance equipment, fixed or mobile, should be in proper operating condition and fitted with standard silencing features.
 - B. In areas where construction or maintenance equipment (such as diesel generators and air compressors) operate for more than one day within 50 feet of a sensitive land use, temporary portable noise barriers should be erected and located between the piece of equipment and the sensitive use.

Policies for New Development Adjacent to *Open Space* Lands

1. The City shall require that development adjacent to existing *open space* provide:
 - A. A *buffer* between proposed *development* and existing *open space* parcels/resources to minimize conflicts between development and existing *open space* lands. The *buffer* should provide for an extension of the *open space* holding.
 - B. Gates, fences, or other deterrents when such facilities are deemed necessary to discourage prohibited or incompatible uses from entering *open space* lands.

Programs:

1. The City shall establish a program to purchase and lease back agricultural lands near urban or developing areas for continued agricultural use.

CHAPTER IV - IMPLEMENTATION MECHANISMS

Introduction

There are various methods for preserving and maintaining *open space*. Some of these methods are listed in this chapter; others have been discussed in previous sections. These options are not alternatives; rather, they are a menu of choices from which the City can choose. Some of the methods presented, such as general obligation bonds, require voter approval. Others (such as impact fees) generate revenue, while others involve developer incentives, such as density bonus. Finally, some methods do not require any kind of tax or assessment measure, but rely on private initiative or government regulation.

The City of San Luis Obispo, like many jurisdictions, has limited money available for *open space* purchases. In the past, the majority of *open space* the City has received has come from donations or regulations. These sources, even in conjunction with developer incentives and similar programs, are not adequate. To provide a viable open space program, the City must have a broad range of protection mechanisms and funding sources. In addition, this combination must include at least one long-term funding source. Providing such a framework gives stability to an open space program, enabling the City to act when land becomes available, and provides the City a means to retain the community's quality of life.

This section establishes guidelines for implementing the City's open space program.

Community Goals

Utilize long-term financing mechanisms to fund open space programs.

Work with landowners to form a broad based open space program; a program based on long-term working relationships.

Utilize a broad base of resources to protect and maintain *open space*.

General Protection Policies:

1. The City shall:

- A. Pursue long-term source(s) of funding for *open space* acquisition such as a bond measure, special assessment district(s), or sales tax increase. Only utilize this long-term funding source to preserve and maintain land and water areas that are consistent with the *open space* definition provided in this document.

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- B. Actively encourage private donations of land and funds by: (1) providing information to landowners regarding the value and techniques for resource conservation; (2) soliciting conservation easements from landowners whose property is designated *open space* or *greenbelt*; and (3) providing landowners and developers with information regarding general tax advantages of donating land to nonprofit organizations and agencies, and the market value of conservation easements.
- C. Pursue Federal and State matching funds for *open space* acquisitions.
- D. Be fiscally conservative in acquiring and managing *open space* lands.
- E. Work with land trusts and other such organizations to augment the City's options for *open space* preservation.
- F. Require new development within the City (including annexation requests) to provide *open space* preservation consistent with this element and the Land Use Element via development conditions.
- G. Sell, exchange, or transfer *open space* lands only by approval of the City Council and only after a 60-day appeal period wherein the citizens can overturn the decision by referendum with a majority vote.
- H. Document the condition of property prior to acquisition through photographs, maps, and written descriptions.
- I. Maintain a current record of all *open space* holdings (by fee and easement) for public information and review.

Criteria for Acquisition

This section discusses when the City should purchase property (either in fee, development rights, or purchase easements). The criteria listed below are to help the City determine when open space funds should be used to obtain *open space* properties or portions of properties, and under what priority. To qualify for City purchase (in fee, development rights, or easements), the area considered for purchase should be consistent with the criteria as noted in 1, 2, and 3 below.

- 1. To be considered for acquisition a site must have value in one or more of the following categories:
 - A. Valuable natural resources (such as *sensitive habitat*, *unique resources*, *creek corridors* or similar habitat).
 - B. Important scenic qualities, cultural characteristics, or natural features (such as unusual terrain or locally important geologic attributes).

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- C. Public health and safety concerns which make reasonable development on the property unlikely.
 - D. Important *passive recreation* opportunities (such as providing a trail linkage), or valuable environmental education opportunities.
 - E. Proximity to land that is already permanently protected as *open space*, or the property is close to land that is likely to be protected in the foreseeable future, thus forming or potentially forming a large area of protected lands.
 - F. The site is utilized for viable agriculture, has the potential to be used for viable agriculture, or the property provides (either now or in the future) a meaningful *agricultural buffer* that will protect agricultural operations.
 - G. The site will cumulatively or individually form an important part of the City's *greenbelt*.
2. A site that meets one or more of the criteria noted in 1 above, should have high priority for purchase if it meets one or more of the following criteria, and would be eligible for purchase under item 3 below:
- A. The property or resources on the property are under threat of incompatible *development* or irreversible damage.
 - B. The site has timely or attractive purchase considerations or conditions. (For example, local cash contributions are available or additional land area is available).
 - C. The site represents one of the last sections providing trail linkage or habitat linkage.
 - D. The site is of sufficient size that resources are likely to remain intact, even if adjacent properties are developed.
 - E. Purchase of the site would maximize the effectiveness of acquisition expenditures. (For example, purchasing one piece of property may guarantee that a second piece of property remains in *open space* or agriculture even though a public agency does not obtain the second property).
3. A site that meet the criteria noted in 1 and 2 above should generally not be acquired by the City as *open space* if:
- A. The site or resource can be obtained in a timely manner as a condition of City, State, or County development approvals or agreements.
 - B. The site's values are primarily scenic, but the property cannot be readily viewed by the general public.

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- C. Adjacent properties are being developed in a way that is likely to significantly diminish the conservation values of the property in question.
- D. Management of the property will be very costly or management of an easement would be unusually difficult to enforce (such as multiple owners, fencing restrictions, or other considerations).
- E. The site cannot be acquired with reasonable effort in relation to its value or purpose. One site may be more valuable; however, all time and effort should not be expended if other sites may be more easily obtained.
- F. The site is developed with facilities or structures, and thus would not be consistent with the *open space* definition.

Fee Ownership, Easements, or Purchase of Development Rights

This section discusses when the City should obtain fee ownership (either through purchase or dedication) versus easements. These criteria should be utilized when attempting to purchase property or easements as well as when private projects must dedicate property as part of their development conditions.

1. The City should generally obtain fee ownership for:
 - A. Properties that may require or have frequent public access to the site or through the site. For example, the property will have a public trail.
 - B. Agricultural lands when (1) public access is desired, (2) the property could be leased back for continued agricultural use, (3) or there may be harmful impacts from current or future agricultural practices.
 - C. Lands for which buying the development rights is almost as expensive as obtaining the land in fee.
 - D. Lands which contain delicate habitat requiring monitoring and enforcement.
 - E. Land on which enforcing an easement will be difficult or costly.
2. The City should generally obtain an easement or development rights:
 - A. On agricultural lands where the cost of development rights is less than fee ownership.
 - B. For lands on which continuation of the underlying private use is compatible with its *open space* designation and direct management by the City is not required.
 - C. To protect *viewsheds* or *scenic resources* that involve little or no public access.

Methods & Sources of Protection

A variety of techniques may be employed to implement *open space* preservation. Examples include, but are not limited to:

- Fair market value purchase.
- Donation by landowner.
- Exchange of property.
- Transfer of surplus government property.
- Use of State or Federal grants.
- Dedications and exactions of *open space* land to mitigate development impact.
- Securing conservation or open space easements.
- Creating assessment districts.
- Transfer of Development Credits.
- Bond Sales
- Lease/purchase options
- Life estate sales.
- Monies from Foundations

Programs

1. The City should:
 - A. Pursue implementation of long-term financing mechanisms such as a bond measure, special assessment district, or a sales tax measure. The text of any measure should specify the percentage of monies that will be: (1) committed to *open space* acquisition, and (2) allocated for management and maintenance costs of protected lands.
 - B. Revise the City's current parcel transfer tax fees. Monies from this source should be available for open space maintenance and preparation of master plans.
 - C. Devise a program to have some maintenance costs of *open space* lands paid in part by uses on these lands (such as agricultural lease back).
 - D. Develop an impact fee that will pay for some *open space* with new development, and encourage the County to implement such an impact fee.
2. The City shall prioritize land available for acquisition/preservation as *open space* consistent with the "Criteria for Acquisition" contained in this Chapter as a first step in implementing this Element.

Contained in Other Studies

1. For an analysis of open space financing options see the study entitled: "A Financial Analysis For the Acquisition of Open Space in the City of San Luis Obispo," by Economic Research Associates, February 1993.

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CHAPTER V - DEFINITIONS

Accessory Structure is a structure that is clearly subordinate or incidental and directly related to the primary structure.

Active recreation means recreation facilities typical of urban parks, including play fields (such as soccer or softball), school fields, community centers, tennis courts, picnic areas (group and individual), golf courses and golf-related facilities, recreation resorts, and similar facilities.

Active trail corridor is a pedestrian or bicycle trail that typically is (1) used for commuting purposes (provides direct access from school or work and residences), (2) located in an urban area, (3) paved with an all weather surface, and (4) utilized by a significant segment of the City population.

Agricultural buffer is an undeveloped area which separates *urban uses* and associated development (such as parking lots) from agriculture or lands zoned agriculture. *Agricultural buffers* shall: (1) be established by the Agricultural Commissioners Office and the lead agency reviewing the project; (2) provided within the proposed urban development versus on the adjoining agricultural land; (3) maintained in open space in perpetuity (by easement or by fee ownership); (4) a sufficient width to protect agriculture from the impacts of adjacent development and to mitigate against the effects of agricultural operations on adjacent urban land uses; (5) designated and credited as open space; and (6) used only for *passive recreational* activities or agricultural uses, provided such use(s) will not interfere with adjacent agricultural practices.

Agricultural lands are lands that are viable for agriculture or designated by the County Land Use Ordinance with a zoning or general plan designation of agriculture.

Candidate species are taxa the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (F&G) are considering for listing as *endangered* or *threatened* species.

City Limits includes that land within the corporate limits of San Luis Obispo where the City has jurisdiction.

Clustering means grouping allowed development on a small area of the site, with the remainder of the property protected as agriculture or open space. See the City's Land Use Element for clustering densities.

CNPS means the California Native Plant Society.

Creek is a waterway or portion of waterway designated on the Creek Map by a solid or dashed blue, green, or dark orange line. Drainage ditches, concrete swales, underground culverts and storm drains (as indicated on the Creek Map) are not considered a *creek*. Creeks located in the *greenbelt* or *Outer Planning Area* are as designated by the USGS 7.5 Minute series quadrangle maps or SLO County data.

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Creek alterations means changes to a *creek corridor* which involve hard bank stabilization (such as gabions, paving, rocks, and walls), realignment, paving, *significant* removal of riparian vegetation, and similar creek modifications. *Creek restoration* is not considered *creek alterations*.

Creek corridor is that area of the *creek* between *physical top of bank* on one side of the *creek* and *physical top of bank* on the other side of the *creek*, or the area between the outer edge of the *riparian vegetation* on one side of the *creek* to the outer edge of the *riparian vegetation* on the other side of the *creek* (whichever is greater). See Figure 6.

Creek maintenance means work within a *creek corridor* that involves the trimming of vegetation, the use of herbicides or pesticides, removing debris or trash, removing vegetation necessary to maintain flood control, or similar maintenance activities. Projects that involve *creek alterations* should not be considered *creek maintenance*.

Creek restoration is the process of restoring a *creek* to a more natural condition. *Restoration* includes planting *native riparian vegetation*, removing wildlife barriers, providing fish ladders, removing debris and trash, removing invasive non-native creek species, grading and changes to the *creek* associated with *creek restoration* work, and other similar activities. *Creek restoration* is not considered *development*.

Creek Setback means the minimum distance that *development* must be located from a *creek's physical top of bank* or the outer edge of the *riparian vegetation* (whichever is greater). See Figure 6. An adequate *creek setback* should allow for future natural changes that may occur within the *creek corridor*, and extend beyond the storm design capacity of a *creek*.

Development means the erection of structures (including agricultural buildings and accessory structures such as decks and spas), the associated grading, vegetation removal, and paving associated with structures, the subdivision of land, mining, excavation, and drilling operations. Where *creeks*, *wetlands*, *unique resources*, *sensitive habitat*, and historical resources occur on-site or may be affected, *development* also includes agricultural uses (such as tilling the soil, grazing, agricultural grading, and similar uses) as well as grading (greater than 50 cubic yards), paving, and vegetation removal (the removal of a tree or *riparian vegetation* such that a major portion of a *creek* bank is exposed) whether such activities are associated with a structure or independent of a structure. Enhancement or *restoration* of a natural resource is not considered development.

Endangered species are any *taxa* in danger of extinction throughout all or a significant portion of their range as identified by the U.S. Fish and Wildlife Service (USFWS) or the California Department of Fish and Game (F&G).

Flood Prone means subject to a general and temporary condition of partial or complete inundation of normally dry land from: (1) overflow of inland waters; and/or (2) the unusual and rapid accumulation of runoff of surface waters from any source. Flood prone areas are areas within the 100 year flood plain (zones A and B on FEMA maps), but also include areas in which standing water may accumulate after a relatively short rain or flood due to other sources of water such as runoff from nearby land uses caused by inadequate local drainage facilities.

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Gateways shall mean portions of the following roadways which are located within the *greenbelt*: Highway 101 (excluding off-ramps and on-ramps), Broad Street (Highway 227), Los Osos Valley Road, Highway 1, South Higuera Street, and Orcutt Road.

Grassland Community is a community of plants of varying size, physical structure, abundance, distribution, and taxonomic affinities typically dominated by herbaceous species but also consisting of grasses and forbs introduced during the Spanish colonial period and a mixture of native California grasses and forbs. *Grassland communities* provide adequate cover, range, and food products for the plants and animals that typically live in the Valley Grassland Communities that can be found in Central California, the interior valleys of the Coast Ranges, and along the coast of central and southern California. *Grassland communities* within the City's planning area typically contain many of the following native perennial grasses:

<i>Koelaria macrantha</i>	Junegrass
<i>Melica californica</i>	California melic grass
<i>M. imperfecta</i>	Melic grass
<i>M. torreyana</i>	Torrey's melic grass
<i>Nassella [Stipa] pulchra</i>	Purple needlegrass
<i>N. [Stipa] lepida</i>	Slender needlegrass
<i>N. [Stipa] cernua</i>	Nodding needlegrass
<i>Poa secunda</i>	Perennial bluegrass

Greenbelt is land area surrounding the City's Urban Reserve Line (as depicted on the Greenbelt Map). The *greenbelt* generally includes the northern part of the watershed for San Luis Obispo Creek. The greenbelt may consist of private and public property composed of (1) open space area that is preserved to define the limit to urban growth, (2) open space area utilized to protect community and natural resources, (3) agricultural lands and associated agricultural uses, and (4) rural lands and recreation. A greenbelt functions to preclude adjacent urban communities from merging together by maintaining urban growth in designated urban areas.

Habitat buffer is an area around a *sensitive habitat* or *unique resource* that protects the resource from *development* or associated impacts of *development*. A *habitat buffer* should: (1) be located between *sensitive habitat* or *unique resources* and proposed, existing, or potential *development*; (2) be a sufficient width and size to protect the species most sensitive to *development* disturbances and to compensate for project impacts; and (3) be designed to complement the habitat value associated with the *sensitive habitat* or *unique resource* and to protect such resource(s).

Hazards include landslides and soil creep, flooding, potentially active or active earthquake faults, liquefaction areas, wildland fires, and dangers associated with locating too near to an airport (aircraft crashes).

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Management Plan is a document prepared by the City or a City designated representative which specifies the care and management of specific *open space* sites. This plan outlines resources existing on the site, resource preservation, allowed recreational uses, and other similar programs.

Mitigation banking is a method of resource or habitat protection. It is a method for compensating for unavoidable impacts of development. It involves a public or private entity creating, restoring, or preserving fish, plant, and wildlife habitats in advance of an anticipated need for actual mitigation. When habitat areas are created a credit is created. When unavoidable impacts occur to habitat or a resource as a result of development, the developer (whether public or private) may utilize an existing credit created from previous successful habitat restoration, create an additional bank area, or pay a *mitigation fee* (as specified by the City).

Mitigation fee is a fee paid to mitigate development impacts to *creek, sensitive habitat, unique resource*, or similar resources. This fee is paid to protect existing resources or buy land for the future protection of resources or habitat.

Mitigation Monitoring Plan is a plan and program to insure the proper implementation of mitigation measures identified in an environmental impact report or negative declaration with mitigation. It typically involves a monitoring and reporting process to document the implementation of all mitigation measures.

Mitigation Plan is a plan which provides for wetland mitigation and long-term preservation.

Morros is a chain of ancient volcanic peaks extending from Islay Hill to Morro Rock. These peaks occupy a stretch of land approximately 12 miles long running in an east-west direction from the City of San Luis Obispo to the seashore of Morro Bay. The Morros include the following peaks: Islay Hill, Mine Hill, Terrace Hill, Cerro San Luis, Bishop Peak, Chumash Peak, Cerro Romualdo, Hollister Peak, Cerro Cabrillo, Black Hill, and Morro Rock.

Native plants are those plant species present in California before the arrival of European explorers/settlers.

Natural creek alterations are methods of creek modifications or creek bank stabilization which provide for native *riparian vegetation* along the creek bank, shading of the creek's flow line, and habitat area within the *creek corridor*. **Natural creek alterations** should not impede fish or wildlife migration, and should maintain or increase biological and aesthetic resources within the creek.

Natural creek corridor is a *creek* which has earthen or undisturbed rock banks, diverse *riparian vegetation*, creek habitat common to the San Luis Obispo area, and may include meanders typical for that age creek.

Natural state means similar to how it would be found in nature (not altered appreciably by humans). Providing a *natural state* on a hillside or creek is to provide plants typical to that resource. Within a creek or wetland, an essentially natural state would allow some *non-riparian vegetation* (which is or would not negatively impact that resource) to remain or be planted.

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Open Space see Appendix A for the City's definition of *open space*.

Outer Planning Area is the land outside the City's *greenbelt* but within the County's designated perimeter of the Planning Area (see Figure 1).

Passive Recreation means low-intensity recreational activities such as hiking, bird watching, nature photography, trails, individual picnic areas, nature study, viewing stations, interpretive areas, and similar uses.

Perennial creeks are creeks that flow at least six months of the year. On the Creek Map and on U.S.G.S. 7.5 Minute quadrangles, perennial creeks are designated as a solid blue line.

Physical Top of bank means where the more eroded natural *creek* slope or the slope resulting from a creek alteration flattens to conform with the terrain not cut by water flow within the creek channel. If the bank is terraced, the highest step is the top of bank, not any intermediate step. In some cases where the top of bank is not apparent, the top of bank on the other side of the *creek*, the extent of *riparian vegetation*, and the 100-year flood line (among other variables) will determine the top of bank location. See Figure 6.

Practicable alternative shall mean (1) the project's basic purpose could still be accomplished either through a redesign or a reduction in massing, scale, or density, or (2) if changes are required to the project's design, scale, or density, reasonable use of the subject property could still occur. Reasonable use of the property in the case of new development may include less development than indicated by zoning. In the case of additional development on an already developed site, reasonable development may mean that no additional development is reasonable considering site constraints and the existing development's scale, design, or density.

Prime farmland is the land that is best suited to producing food, feed, forage, fiber, and oilseed crops. It must either be used for producing food or fiber or be available for these uses. It has the soil quality, length of growing season, and moisture supply needed to economically produce a sustained high yield crops when it is managed properly. Prime farmland commonly has an adequate and dependable supply of moisture from precipitation or irrigation (as defined by the U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of San Luis Obispo, CA, 1984).

Programs are actions which the City intends to take in pursuit of its goals and policies.

Proposed endangered and threatened species are those *taxa* for which a proposed regulation has been published in the Federal Register, but not a final rule.

Rare species are *taxa* not necessarily threatened with extinction, but which occur in such small numbers that they may become *endangered* if their environment worsens.

Restoration is the process of returning a resource to a more *natural state*. *Restoration* includes planting vegetation *native* to that area, removing wildlife barriers, removing debris and trash,

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removing invasive non-native plant species, and other similar activities. *Restoration* is not considered *development*.

Riparian vegetation means vegetation and habitat characteristic of *creeks* or their edge.

Scenic Resources are resources having high aesthetic qualities, such as hills and mountains; *creeks* and other wetland resources; *sensitive habitat* and *unique resources*; and agricultural lands that contain grazing or cropland.

Sensitive habitat refers to a City classification which includes plants or animals: (1) listed by the U.S. Fish and Wildlife Service (USFWS) or by California Department of Fish and Game (F&G) as *endangered* or *threatened*, or *proposed endangered or threatened*, (2) listed by USFWS as a FC1 species (see Table 1 or 2), (3) listed by CNPS as List 1A, List 1B, or List 2 (see Table 1 or 2), (4) species not listed by USFWS, F&G, or CNPS but can be shown to meet the criteria of *endangered* (consistent with CEQA section 15380), or (5) or habitat area required to support the species listed in 1 through 4.

Significant means a substantial, or potentially substantial, adverse change in the environment (as defined by the California Environmental Quality Act [CEQA]).

Significant wetland means those *wetlands* that are important because of their uniqueness or because they provide habitat for *rare*, *endangered*, or *threatened* plants or animals.

Species of special concern are plants or animals, or communities of plants or animals, which are not *rare* on a state scale, but are found in limited locations around the City of San Luis Obispo or within San Luis Obispo County as identified by the California Department of Fish and Game. Plant and animal communities of special concern include such resources as coastal sage scrub, oak woodlands, and serpentine endemics.

Stream see the definition for *creek*.

Structure means anything assembled or constructed on the ground, or attached to anything with a foundation on the ground. (City Code Section 17.04.410)

Taxa refers to any species or subspecies of a bird, mammal, fish, amphibian, reptile, invertebrate, or plant.

Threatened species are any species likely to become an *endangered* species within the foreseeable future throughout all or a significant portion of its range as identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game.

Transfer of Development Credit is a program that allows a landowner (located in the City, the *greenbelt*, or *Outer Planning Area*) to transfer a property's development potential to another property located within the City, the *greenbelt*, or *Outer Planning Area* where development is encouraged.

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Such a program transfers development from a site where development is discouraged (sender site) to a site where development is encouraged (receiver site). (See Appendix D)

Unique Farmland is one of the Important Farmland Map categories of the State Farmland Mapping and Monitoring Program. "Unique Farmland" is land that does not meet the criteria for "Prime Farmland" or "Farmland of Statewide Importance", that is currently used for the production of specific high economic value crops (as listed in the last three years of California Agriculture produced by the California Department of Food and Agriculture). It has the special combination of soil quality, location, growing season and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. Examples of such crops may include oranges, olives, avocados, rice, grapes, and cut flowers. It does not include publicly owned lands for which there is an adopted policy preventing agricultural use.

Unique Resources is a City classification which includes plant or animal species (1) listed by the U.S. Fish and Wildlife Service as FC2 [see Tables 1 and 2], (2) listed by the California Department of Fish and Game as SR or CSC [see Tables 1 or 2], (3) listed by CNPS as List 3 or List 4 [see Tables 1 or 2], or (4) habitat area required to support the species listed in 1 through 3.

Urban Use is a relatively intensive use of land which normally requires City water and sewer service; *urban uses* are nearly all the types of development accommodated in the following categories of the Land Use Element: low-, medium-, medium-high, and high-density residential; neighborhood, tourist, and general-retail commercial; offices; services and manufacturing; and most public buildings. The following are not considered *urban uses* according to this document: (1) structures proposed at a density typically associated with agriculture (such as a barn and a single family dwelling); (2) agricultural support structures that need to be provided near agricultural operations (such as cooling and storage facilities); and (3) clustered residential development allowed through the County's Land Use Regulations where existing development rights are clustered to protect agricultural land.

Urban Reserve Line (URL) includes land reserved for the urban expansion of San Luis Obispo where the City will have jurisdictional control.

Vernal pools are low swales, or depressions (typically 12 to 18 inches in depth), in terraces where water ponds for one to three months during the cool season and dries up during the early part of the warm season.

View Corridor means the narrow space through which a *scenic resource* is viewed. For example, the view a person has from a portion of their property to Bishop Peak would be considered a *view corridor*.

Viewshed means the view of *scenic resources* from public viewing areas (such as parks, scenic highways, Mission Plaza). A *viewshed* incorporates more viewing area than a *view corridor*.

Village Reserve Line is the boundary for a San Luis Obispo County land use designation of Village Reserve. The Village Reserve area is an unincorporated area in which urban level development may occur where consistent with the land use plans of San Luis Obispo County.

Open Space Element

Wetland buffer is an area provided around a *wetland* to protect the resource from adjacent development. A buffer should: (1) be located between proposed or existing *wetland* areas and proposed, existing, or potential *development*; (2) be a sufficient width and size to protect the species most sensitive to *development* disturbances and to compensate for project impacts; (3) be designed to complement the habitat value associated with the adjacent *wetland* and to protect the *wetland* resource; and (d) not be credited as *wetland* acreage.

Wetlands means an area where one or more of the following attributes exist:

1. At least periodically, in years of normal rainfall, the plants supported by the land are predominantly hydrophytes (thrive only in water or saturated soil).
2. The substrate is predominantly undrained hydric soil as defined by the United States Soil Conservation Service.
3. The substrate is non-soil and is at least periodically saturated with water or covered by shallow water at some time during the growing season of each year in years of normal rainfall.

Where less than all three of the attributes specified above exist, delineation of an area as wetland shall be supported by the demonstrable use of *wetland* area by *wetland* associated fish and wildlife resources, related biological activity, and *wetland* habitat values.

APPENDIX A
CITY OF SAN LUIS OBISPO
DEFINITION OF OPEN SPACE¹

Open space is land or water area which remains in a predominantly natural or undeveloped state. Such lands protect and preserve the community's natural and historical resources, define the urban boundary, and provide visual and physical relief from urban development. Open spaces may consist of small portions of a parcel or large tracts of land. Such lands may include farming and grazing; creeks, marshes, watershed, and floodplains; scenic resources, plant and animal habitat; historic and archaeological resources; and passive recreation areas.

Designation of Open Space

Open space that is carefully planned and effectively managed can serve as the catalyst for physical development which provides for the safety and health, as well as the beauty, of the community. To fit into this role, each open space area must be evaluated and officially designated based on its own qualities, as well as the collective effect of all areas when viewed as a whole.

Active recreational uses, such as ball fields, swimming pools, golf courses, community and neighborhood parks, and similar uses, are governed by and provided for in the Parks and Recreation Element. Although these areas do not strictly meet the definition of open space, they provide many of the same benefits and are viewed as complementary to designated open space.

The following categories of open space, important to the beauty, health and welfare of San Luis Obispo, are proposed as guides for evaluating and officially designating the City's open space resources.

Natural Areas & Natural Resources

Open space for the preservation of natural areas includes significant topography, unique geologic formations, wildlife habitats, plant communities, and other natural features that are representative examples of the native character of San Luis Obispo.

Open space for the conservation of natural resources is a closely related category that includes natural features that provide economic, recreational or aesthetic benefits for the community. This would include watersheds, streams, creeks, lakes, ponds, marshes, flood basins, underground water, woodlands, and fragile ecosystems including flora and fauna native or unique to the area (such as riparian and oak woodlands, and native grasslands) among many examples.

¹ Definition as adopted by the Planning Commission & Park and Recreation Commission (with minor changes by staff).

Open Space Element

Production of Food & Other Products of Economic Value

Open space may be rangeland, ranches, agricultural lands and areas of economic importance for the production of food, fiber, and specialty products (such as flowers and mushrooms); areas required for recharge of groundwater basins; and areas containing major mineral deposits.

Cultural, Historic, & Archaeological Resources

Open space is in this category to preserve and maintain the City's heritage, including places and structures associated with important historic individuals and events. This category should identify and protect archaeological sites such as burial grounds, sacred places, artifact locations and the surrounding land needed to retain, protect or restore the appropriate spatial context of the above.

Passive Recreational Uses

Open space used for passive recreation, such as, but not limited to, linear open space established along a natural corridor, a ridgeline, or similar corridor; any natural or landscaped course for pedestrian, equestrian or bicycle passage; trail systems which link parks, open space, nature reserves, and cultural or historical features with each other or with populated areas; areas preserved for nature study and other passive recreational uses such as individual picnic areas, fishing, viewing areas, and other similar types of activities that do not result in environmental degradation.

Public Health and Safety

Open space for the protection of public health and safety is land that, because of hazardous conditions, requires limitations on development and the intensity of activities and land uses. These conditions may include, among many others, earthquake fault zones, landslide areas, soils subject to liquefaction, other unstable soil conditions, steep or unstable slopes, flood zones, high risk fire areas, areas required for the protection of air or water quality, and areas of waste disposal, power line easements, or airport flight zones.

Shaping the Urban Area

Open space land for shaping the development of the urban area would include, but is not limited to, lands preserved to: limit urban sprawl and shape the City's edge; provide for spatial definition within the urban area; encourage more intensive use of urban areas; and provide a balance and harmony between physical development and open areas.

Scenic Resources

Open space to protect and enhance scenic and aesthetic areas for enjoyment by the community includes the preservation of settings and features whose colors, textures, variety, unity, form, or perspective provide beauty and visual interest. This includes land forms, bodies of water, rock outcroppings, plant materials, scenic vistas and views, and hillsides and other natural features..

APPENDIX B
STATE DEFINITION OF OPEN SPACE

According to the Government Code, Section 65560:

Open-space land is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

Open space for preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

Open space for public health and safety, including, but not limited to, areas which required special management regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

The significance of open space preservation to the people of California is stated in Section 65561 of the Government Code:

That the preservation of open-space land, as defined in this article, is necessary not only for the maintenance of the economy of the state, but also for the assurance of the continued availability of land for the production of food and fiber, for the enjoyment of scenic beauty, for recreation and for the use of natural resources.

Open Space Element

That discouraging premature and unnecessary conversion of open-space land to urban uses is a matter of public interest and will be of benefit to urban dwellers because it will discourage non-contiguous development patterns which unnecessarily increase the costs of community services to community residents.

That the anticipated increase in population of the state demands that cities, counties, and the state at the earliest possible date make definite plans for the preservation of valuable open-space land and take positive action to carry out such plans by the adoption and strict administration of laws, ordinances, rules and regulations as authorized by this chapter or by other appropriate methods.

That in order to assure that the interests of all its people are met in the orderly growth and development of the state and the preservation and conservation of its resources, it is necessary to provide for the development by the state, regional agencies, counties and cities, including charter cities, of statewide coordinated plans for the conservation and preservation of open-space lands.

That for these reasons this article is necessary for the promotion of the general welfare and for the protection of the public interest in open-space land.

The intent of the Legislature in enacting this article is (as stated in Section 65562):

To assure that cities and counties recognize that open-space land is a limited and valuable resource which must be conserved wherever possible.

To assure that every city and county will prepare and carry out open-space plans which, along with state and regional open-space plans, will accomplish the objectives of a comprehensive open-space program.

APPENDIX C
EXISTING OPEN SPACE RESOURCES

Large Open Space Holdings the City Owns in Fee

The following is a list of major open space areas the City owns in fee:

1. **Reservoir Canyon.** This property is located roughly 1/2 mile north from the City limits, near the eastern end of Reservoir Canyon Road. The portion of the canyon the City owns consists of approximately 213 acres. Much of the property is steeply sloping with dense chaparral/woodland vegetation. A silt basin, which now forms a lake, is located near the western edge of the property. The upper reaches of San Luis Creek flow along the canyon floor. Along the creek is high quality riparian and oak woodland habitat.

Background: The property was originally purchased in 1900 as the principle source of water for the City of San Luis Obispo.

Current Uses: The area is open for hiking and naturalist uses. Cal Poly biology classes periodically use the creek area for field studies and the area is used by hikers and bicyclists. (Technical Report One, P&R Element, August, 1980).

2. **Lopez Canyon.** This property is located near the Los Padres National Forest, near Lopez Lake. The City owns roughly 320 acres. The property is undeveloped and presently utilized as open space. The terrain is steep and heavily forested except on the canyon floor. Gravel bottomed Lopez Creek meanders through willow thickets and is relatively accessible to fishermen. An unimproved dirt road extends through the property up the canyon.

Background: The property was a portion of a large parcel purchased by Louis Sinsheimer when he was mayor of San Luis Obispo. In 1955, the Sinsheimer Bros. Corporation granted and gave to the City of San Luis Obispo 320 acres to be used as a public recreation, park, and/or in connection with the water supply for the City of San Luis Obispo.

Current Uses: Presently Lopez Canyon is open to hikers and naturalists. The property was used by the Boy Scouts as a campground until the late 1970s. They could not meet the U.S. Forest Service fire protection requirements. (Technical Report One, P&R Element, August, 1980).

3. **Laguna Lake.** There are basically two areas which constitute open space within the Laguna Lake area. One area is located north of the developed park, primarily on a foothill of Cerro San Luis. This site is approximately 144 acres. This piece of open space has been leased in the past for

Open Space Element

cattle grazing (lease will expire in June, 1995). This hillside site has fairly steep topography, consisting of primarily non-native grasses, rock outcroppings, and in some areas serpentine outcroppings, natural seeps and springs. The serpentine outcroppings and natural seeps have been fenced to protect two plant species: San Luis Obispo Mariposa Lily and the Chorro Creek Bog Thistle. *Calochortus obispoensis* (San Luis Obispo Mariposa Lily) is listed by the California Native Plant Society (CNPS) as rare and endangered; *Cirsium fontinale* var. *obispoense* (*Chorro Creek Bog Thistle*) is also listed by the state as endangered. The natural seeps have been fenced to protect these areas from cattle grazing and to some extent human intrusion. This area is open for hiking.

The other area that comprises open space lands owned by the City is that section northwest of Laguna Lake Park (the developed park area). This area comprises a land area of approximately 250 acres. This section includes wetland, lake, and land areas. The wetlands (which includes the peninsula) supports various plants including bulrushes and smartweed which provide a haven for many animals using the lake. Currently this part of the lake receives low pressure from humans. The open water area provides habitat for birds seeking open water for foraging and roosting. Human use is fairly low, consisting of nonmotorized boating or windsurfing. The land area consists of a jogging and exercise trail. Vegetation consists of a wide variety of ungrazed grasses, forbs, and bushes.

4. **Cerro San Luis.** The City owns 43 acres of Cerro San Luis. The property is located approximately 1,000 feet west of Hill Street. A public easement connects the property to Hill Street. Presently 43 acres of this area is leased for cattle grazing (the lease expires June, 1995). Vegetation consists of non-native grasses, some scattered clusters of oaks and chaparral, and lines of eucalyptus. In general this area of Cerro San Luis is fairly steep or has rolling topography except for an area known as the "Lemon Grove Site." The Lemon Grove Site (which is approximately 2.4 acres) is fairly flat, and in some sections constitutes a wetland area. In this area of the site vegetation consists of oaks, sycamores, willows, chaparral, and some native grasses as well as a diverse collection of non-natives trees (eucalyptus, monterey cypress, etc.). Within the Lemon Grove Site is a perennial creek which is primarily fed by natural springs. The creek and springs are currently fenced to insure that cattle grazing does not occur in this area. Presently the entire area is open to the public and utilized for hiking and bicycle riding. Trails are dirt only.

Open Space Easements and Other Properties

A map of the City's current open space and trail easements and other open space holdings is available at the Community Development Department.

In general, the City has open space or trail easements on portions of Islay Hill, Bishop Peak, South Street Hills, Orcutt Knob, Cerro San Luis, Terrace Hill, and along various creeks.

APPENDIX D

DESCRIPTION OF DRAFT LAND USE ELEMENT TRANSFER OF DEVELOPMENT CREDIT STRATEGY AS OF DECEMBER 1993

Before endorsing the February 1992 hearing draft of the Land Use Element update, the City Council considered the County's "Settlement Pattern Strategy," a joint study by the County and Cal Poly, focusing on ways to avoid scattered development in rural areas. One aspect of this strategy is to permanently protect open space by transferring development potential (credits) from areas that are unsuitable for development to areas where development is appropriate. Such transfers are seen as a way to avoid development in old, undeveloped subdivisions in rural areas, without the problems of a regulatory taking. This program aims to have legal lots in areas designated around the City remain undeveloped, while an equal or greater number of dwellings would be built in less sensitive areas.

With a transfer of development credits (TDC), the owner of the land sending the development credit is compensated by the owner of the land receiving the credit. The payment may occur directly between those parties, subject to local government recognition of the transfer, or indirectly with the local government or a land conservancy acting as intermediary. Under a voluntary program, it may be necessary to allow more than one dwelling at the receiving location to create sufficient incentive to erase the potential for one dwelling at the sending location. TDC programs have been used to protect farmland and sensitive habitat in several areas of the country, including the Lake Tahoe Basin, the Santa Monica Mountains, and Cambria.

When the Council discussed TDCs, it supported the concept. However, at that time the Council was not comfortable identifying sites to receive the transferred development potential.

While there are many aspects of TDC to be decided before it can work in San Luis Obispo, perhaps the most fundamental is designating receiver locations. The Land Use Element could do so by allowing a certain maximum number of dwellings within an area if there was no transfer, and a higher maximum with transfer. Staff has suggested setting two-tier capacities for the major expansion areas, to create potential receiving sites for transferred development credits. Developers of the expansion areas would have to acquire and dedicate to the City or a conservancy organization development rights from land outside the urban reserve line, to permanently protect the land, in order to build more dwellings (or nonresidential space) than would otherwise be allowed.

A preliminary survey by County planning staff indicated potential for about 500 dwellings in especially sensitive parts of the San Luis Obispo planning area, which could be transferred to clustered rural residential areas (such as Los Ranchos) or to the city.

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The City's draft Land Use Element update could accommodate the following ranges of dwellings in the major expansion areas (see policy 2.19 on page 24).

<u>Expansion area</u>	<u>Capacity</u>		
	<u>Low</u>	<u>High</u>	<u>Difference</u>
(existing)			
Irish Hills	600	700	100
Margarita	1,100	1,200	100
Orcutt	500	1,000	500
SUBTOTAL	2,200	2,900	700
Dalidio	220	1,100	880
TOTAL	2,420	4,000	1,580

If only the lower capacities were achieved due to lack of transfers, and nonresidential growth continued as planned, the city's jobs/housing relationship would become more out of balance. To assure usage of TDC, the City should maintain the two-tier capacities under pressures to allow more development without transfers.

There is some capacity for receiving transfers within the city. However, requiring favorable infill development to obtain transfers could make it less feasible. In staff's view, setting wide differences in densities for infill projects could raise serious neighborhood compatibility issues. Receiver sites, therefore, should be carefully selected.

Providing receiver sites for 500 dwelling units (potential indicated by the County), with a two-to-one ratio as an incentive, would require the capacity to accommodate 1000 more dwellings in designated receiving areas. This strategy would establish approximately two thirds that potential, without changes to the Council-endorsed approach for the Dalidio area. The added potential is largest for the Orcutt area. Accommodating all the development credits that could be transferred from the S.L.O. planning area would require a lower incentive ratio, different sizes or densities for the designated expansion areas, or additional expansion areas.

While TDC is intended to help maintain separation of urban areas and achieve a permanent greenbelt by affecting the City's development capacity it could complicate planning for the major expansion areas, especially deciding and financing the proper size of public facilities. The details would have to be resolved in a TDC ordinance and in the specific plans for the major expansion areas. The County is now working with the San Luis Obispo Land Conservancy to prepare a feasibility study on TDCs in this county. The study will provide additional information for the City to use in determining the feasibility of a City TDC program.

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